

Minutes of the Technical Committee Meeting Held on 21.10.2015. ITEM No. 51/TC/2015

Sub: Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing.

File No. F.3(19)/2014-MP

1.0 Background

- 1.1 The matter is regarding the proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing. As per MPD-2021, the provision for relaxation in setbacks for Residential Plotted Development and Other than Plotted Development are given in Para 4.4.3A point (x) and in the foot note under Table 17.1 respectively.
- 1.2 Earlier in the specific case of property No. M-17, Green Park the matter for relaxation of setbacks from preceding to preceding category was presented by MCD in the meeting of Technical Committee held on 11.8.2011 vide item No. 20/2011. After detailed deliberation the following decision was taken (Annexure-I): "The proposal for relaxation in setback from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the setback are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Category on the said plot is 75% as per MPD-2021. After the detailed discussion, Technical Committee agreed to the proposal with the provision that existing Ground Coverage (69%) as per drawing submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD".
- 1.3 Now, in the case of Rajesh Kumar Gupta vs SDMC for the property no. C-75, Shivaji Park under Appellate Tribunal of MCD, the appellant has claimed the similar benefit as mentioned in the point 2 above.
- 1.4 The above matter was deliberated before the ATMCD by MCD and DDA, wherein the following issues were highlighted in the order of ATMCD dt. 05.05.2014 (copy annexed as Annexure-II)
  - i. It appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or

due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake cannot be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.

- ii. Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal.
- iii. In that eventually at least the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park.
- iv. Counsel for DDA wants to seek instructions from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

1.5 In view of Para 4. above, the matter was discussed in the meeting held on 21.07.2014 under the Chairmanship of V.C., DDA wherein the officers of MCD & DDA were present, wherein it was decided to "to prepare a modification in MPD-2021 in para 4.4.3A where Para (c) may be added that in case the permissible ground coverage is not achieved in case of (a) above i.e. preceding category setback, the Technical Committee may consider further relaxation of setbacks".

1.6 With reference to above mentioned SDMC vide letter No. TP/G/SDMC/2014/5061 dt. 28.7.2014 submitted the following (Annexure-III): "As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

1.7 Accordingly, the matter was considered & approved in the Technical Committee in its meeting held on 02.09.2014 vide Item No. 56/2014 and the minutes of the same were confirmed in the next Technical Committee held on 24.08.2014 with certain modifications. The decision taken therein is as follows (Annexure-IV): "The proposal was presented by Director (Plg)MP after deliberation Technical Committee recommended the proposal for further processing under Section 11-A of DD Act, 1957 for modification in MPD-2021."



1.8 Based on the recommendations of the Technical Committee draft agenda for Authority meeting was forwarded to the Hon'ble Lt. Governor, Delhi for its consideration in the Authority meeting vide this office note dated 17.10.2014. Hon'ble L.G., Delhi submitted the following observations on the draft agenda : "I see that the proposed draft agenda has been put up on the basis of one individual case where DDA took a wrong decision/ gave undue favour in violation of MPD norms. Even the order of Appellate Tribunal mentions the same. The proposed agenda is also silent with regard to conformity with the provisions of National Building Code & Building Bye-Laws. Views of Fire Deptt have also to be sought before the matter is placed before the Authority."

## 2.0 Follow-up action:

2.1 After discussion among the Sr. officers of Planning Wing, DDA, it is opined that at the first instance comments/ observations from the Legal Deptt., DDA may be obtained in this regard.

2.2 Accordingly the file was submitted to Legal Deptt., DDA and the following observations were received:

- i. The deptt. is under no legal obligation to process the matter further for modification in MPD-2021.
- ii. The earlier decision of Technical Committee if in contravention of the MPD norms then it is not legally tenable. Even the DDA counsel did not oppose observations of Hon'ble Court in the context.
- iii. The matter may be placed before the Technical Committee if deemed / appropriate for consideration of the matter in view of observation of the Hon'ble Court.

3.0 In view of the observation of the Legal Deptt. in para 2.0 above, the matter is placed before the Technical Committee for appropriate decision

## DECISION

51/2015	Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding category in Residential Plot - Plotted Housing.	The proposal was presented by Dy. Director (Plg) MP&DC. During the meeting, the following issues were deliberated: <ul style="list-style-type: none"> <li>As per MPD-2021, under Para 4.4.3 A. related to the development control norms of Residential Plot-Plotted Housing in its sub-para pt.(x) (a) wherein minimum setbacks are prescribed, provides that "In case the permissible coverage is not achieved with the prescribed setbacks in a plot, the setbacks of the preceding category may be allowed". There is no provision for permitting setbacks of preceding to preceding category in Residential Plot-Plotted Housing in MPD-2021.</li> </ul>	Action- Director (Plg) MP&DC
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*Contd. 1020*

- In case of property No. M-17, Green Park, the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 gave the benefit of ground coverage of preceding to preceding category by way of relaxation of set-backs which was not as per the Master Plan provisions and as such was not within the jurisdiction of the Technical Committee.
- Further, it is observed that the Ground Coverage of 75% is the maximum limit and not the minimum which may vary according to shape of the plot.

Hence, the decision taken by the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 in case of property No. M-17, Green Park is void ab-initio and therefore, stands withdrawn.

DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION

**VERIFIED**

This Proposal was Considered in  
the.....9<sup>th</sup>.....Technical Committee

Meeting held on....21.10.2015....

Vide Item No....51.1.2015.....

Sudheer/26.10.2015

Asst. Director

Master Plan

Dy. Director

Master Plan

26/10/2015



DELHI DEVELOPMENT AUTHORITY  
(MASTER PLAN SECTION)  
6<sup>th</sup> FLOOR: VIKAS MINAR:  
NEW DELHI.

No: F.1(7)2011-MP | 247

Dt: 29/8/11

MINUTES OF 3<sup>rd</sup> TECHNICAL COMMITTEE MEETING HELD ON 11.8.2011 .  
LIST OF THE PARTICIPANTS IS ANNEXED.

Item No. 18/11:

Sub: Confirmation of minutes of 2<sup>nd</sup> Technical Committee Meeting held on 20.4.2011.

The minutes were forwarded to the members and no comments/observations has been received for any item. Therefore, the same were confirmed.

Item No.19/11:

Sub: Development of Knowledge Based Industrial Park (KBIP) at Baprola by DSIIDC in Zone K-I.

F.3(47)2011/MP

The proposal was explained by Director (Plg.) DWK and the presentation was given by the officers of DSIIDC. After detailed deliberations, it was decided that the modifications as proposed in the Agenda at Para 4.0 may be processed under Section 11(A) of DD Act '1957 for change of land use with the condition that DSIIDC will implement the project strictly as per the activities permitted in the 'Industrial' Use Zone under MPD-2021 and further actions as identified in para 4 of the Agenda. Accordingly the name of the project will also be changed from 'Knowledge Based Industrial Park' to 'Industrial Park'.

Action: Director(Plg.(Dwarka)

Item No.20/11:

Sub: Relaxation in permissible Setbacks for existing building at Plot No.M-17, Green Park, New Delhi.

F.3(36)/2010/MP/

//The proposal for relaxation in set backs from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the set backs are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Coverage on the said plot is 75% as per MPD-2021.

- 27 -

After the detailed discussion, Technical Committee agreed to the proposal with the proviso that existing Ground Coverage(69%) as per drawings submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD

Action: Ex. Engg. (Bldg.) South Zone MCD)

Item No.21/11:

Sub: Continuance of Temporary Cinemas in Delhi.

F.11(6)/74/MP/Pt.I

The item was presented by Director (Plg.) MP & Zone 'D', it was informed that the temporary cinemas which were continuing on license basis, for a long time, at various locations in Delhi, were not conforming to the land use provisions. The MPD-2001 had stipulated the conditions for continuation of temporary cinemas, subject to maximum capacity of 300 seats; minimum front right of way 18 mtrs; One car space per 25 seats; conformity to the Cinematography Act and levying of conversion charges, to be worked out by the Authority. However, the issue of continuance of temporary cinemas is not addressed in the MPD-2021. Several representations were received from time to time in this regard and the issue of permissibility of temporary cinemas on permanent basis was also raised in one of the Authority meetings by the non official members which was also placed before the Technical Committee.

In view of the directions of the Hon'ble Lt. Governor for processing the cases of existing temporary cinemas for regularization, the matter was again placed before the Technical Committee. After detailed deliberations, it was observed that continuance of Temporary Cinemas and the possibility of effecting land use change to make them permanent in situ in Delhi should be dealt on case to case basis. Accordingly it was decided that the present status of the temporary cinemas in terms of area, ownership details and existing/functioning activities in these premises, supported by photographs/documents may be obtained to examine the matter further.

Action: Concerned Directors (Plg.)

Item No.22/11:

Sub: Revised layout plan for CRPF Campus at Mahavir Nagar, New Delhi.

F.1(25)07/MP/

Director (Plg.) C&G, DDA presented the case. It was decided that CRPF will submit the revised proposal, ensuring optimum use of land and accommodating future requirement of housing and office spaces as per MPD-2021 provisions.

Action: Dir. (Plg.) C&G Zone.



-28-

Annexure - II

OFFICE OF THE REGISTRAR APPELLATE TRIBUNAL, MCD  
ROOM NO. 29, TIS HAZARI COURTS, DELHI.

Director (Plg.)  
Dy. No. 357  
25/7/14

388/pause  
31/7/14

Please find enclosed herewith copy of the order dated 05/5/14 passed by the Hon'ble Tribunal in bearing appeal no. 491 /ATMCD/ 12 title as Rajesh Kumar Gupta & An vs SDC in respect of property no. C-75, Guraji Park, N-D-26

For compliance and necessary action. (N.D.O.H./D.O.D:- 29/8/14)

869/83CADD  
9.7.14

(G.R.Verma)  
Registrar  
Appellate Tribunal, MCD, Delhi.

1. The Monitoring Committee,  
India Habitat Centre,  
6A, Lodhi Road, Delhi
2. The Deputy Commissioner,  
\_\_\_\_ Zone,  
\_\_\_\_ Delhi Municipal Corporation,  
Delhi
3. The Executive Engineer (Bldg.),  
\_\_\_\_ Zone,  
\_\_\_\_ Delhi Municipal Corporation,  
Delhi

The Director  
(Planning)  
D.P.A  
info Pl.  
JWB  
9/7/14

DOT

① V/H/m Compt  
DOMP&DC I

Pl. bring the P/L  
As per proceedings  
i.e. meeting held  
31/07/14

Oy. Director (Plg.) AP-2  
F-Zone  
P/C called.

Director (Plg.) m.p

may Pl. see the attached order of the Appellate Tribunal dated 5/5/14. Reference is made towards letter dated 15/01/2014 of DDA wherein relaxation in preceding to preceding Category set back was given. As per 'x' of the order counsel for DDA, Com. H. K. BHARTI provided to be counsel for DDA, Com. H. K. BHARTI (Plg.) 11 - P

21-  
Before Sh. A.K. Sarpal  
Appellate Tribunal M.C.D.  
Room No. 28, New Courts  
Tis Hazari, Delhi  
Appeal No. 12/AT/M.C.D./12

Rajesh Kumar Gupta & Anr  
vs  
DDA



A.No.491/12

05.05.2014

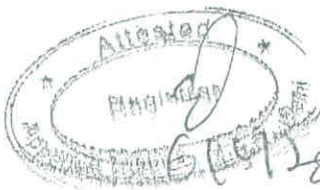
Present : Sh. K.N. Singh, counsel for appellant.  
Sh. Ajay Arora, Standing Counsel for MCD  
alongwith Sh. Mohit Sharma and Sh. Shashi  
Kant Sharma counsels for MCD and Sh.  
Sudhir Mehta, EE(BHQ) alongwith Sh.  
Joginder Singh, AE(BHQ) in person.  
Sh. P.K. Aggarwal and Sh. Sanjay Sharma  
counsels for DDA.

Vakalatnama on behalf of DDA filed.

There are two connected matters pertaining to the  
same property. On behalf of the respondent MCD it is stated  
that after considering the clarifications received from the  
DDA dated 15.01.2014, it has been decided that the MCD  
will take action in accordance with the said report for the  
time being and in case DDA in future wants to take a  
different stand then MCD will also act accordingly.

The DDA clarification dated 15.01.2014 leads to the  
inference that a relaxation in preceding to preceding  
category set backs was given in respect of property number  
M-17, Green Park, as a special case after freezing the  
ground coverage and that benefit is now not permissible in  
future similar matters. The decision of the DDA in respect of  
that property was a specific case and not a general  
instructions or decision. However, nothing is mentioned in  
the clarification or in the accompanying documents what  
was the special circumstances that exceptional benefits  
were given to the owner of that property.

Appellant is claiming the similar benefit on the  
ground of parity but it appears also that the above benefit  
was given perhaps wrongly and in violation of the provisions  
of Master Plan to give some undue advantage to the owner  
of that property number M-17, Green Park, or due to some  
bonafide mistake. On behalf of the DDA it is stated that the  
wrong once done whether intentionally or by mistake can

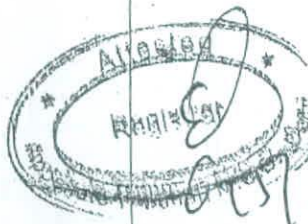




Contd.



S. No.	Date	Order
		<p>not be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.</p> <p>Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be a possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal, in case he is not given the same benefit on the ground of parity. In that eventuality atleast the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park, who was apparently not at fault but might be suffering due to wrong decisions of the DDA.</p> <p>Counsel for DDA wants to seek instruction from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.</p> <p>Appellant also wants to consult some architect and structural engineer to find out whether there is any solution of rectification of the property in such a manner that the less damage is caused to it and proceeding category set back is achieved if for the sake of arguments it is presumed that the benefit of parity is not given to him even by the Hon'ble High Court in writ petition.</p> <p>Put up this matter on- 29.08.2014 for further proceedings. Copy of the order be sent to Director (Planning) DDA and one copy be given Dasti to Counsel for DDA. Interim stay is extended till next date.</p> <p>(ASHWANI SARFAL) Appellate Tribunal:MCD</p>



20/11/14

31-  
ANNEXURE III  
2018  
30/7/14

**SOUTH DELHI MUNICIPAL CORPORATION**  
**TOWN PLANNING DEPARTMENT**

E-Block, 21<sup>ST</sup> Floor, Civic Centre, Minto Road, New Delhi-110002.

No: TP/5./SDMC/2014/5061

Dated. 28/7/14

Sh.R.K.Jain,  
The Addl. Commissioner (Plg.)  
Delhi Development Authority,  
Vikas Minar, I.P. Estate,  
New Delhi.

384/DDMC  
31/7/14

Sub:- Discussion during the meetings chaired by Vice -Chairman/DDA on 21.07.2014

Sir,

In the above referred meeting the following issues were discussed:-

- A. Stilt parking in the Residential Plot – Plotted Housing as a follow up of the High Court Orders dated 29.05.2014 in the matter of P.K. Chatterjee v/s Union of India.
- B. Relaxation of the setbacks from preceding to the preceding category of the Residential plot to achieve the Master Plan FAR and the ground coverage w.r.t. MCD court case on the subject.
- C. Development of scheme by Standard plan or modification in scheme as per development control norms of Master Plan for Delhi-2021.

Vice-Chairman desired a written reply on behalf of SDMC on the above issues. On stilt parking a detail status report along with the affidavits as filed by SDMC and MOUD is enclosed.

Besides the Hon'ble Leader of House of SDMC Sh. Subhash Arya has also requested that stilt parking should not be insisted on narrow lanes/non-trafficable roads because on such roads the movement space for vehicles for parking under stilts is not available.

As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by the Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

As regards the development control norms for shop cum residential plots, the opinion on behalf of MCD is already before the Technical Committee and the same is reproduced below:-

*"It is suggested that on all shop-cum-Residential plots (pre 1962 or after 1962) the Residential Development Control Norms shall be applicable whether such Shop-cum-Residential Complex are designated as LSC (under MPD-2001/2021) or not. The Residential Norms shall be applicable at the time of sanction of bldg. Plans on individual plots or addition/alteration on individual plots. The parking charges shall be charged as per Mixed Use policy for providing parking in the vicinity. The Standard Plans shall be revised as per the provisions of MPD-2021 with the Development Control Norms as applicable for Residential Plots. The Basement area may be used for Commercial purpose subject to payment of charges as per Mixed Use Regulations".*

Earlier necessary action on the issues are requested for.

Encl:-As above

Yours faithfully,

*Shamsher Singh*  
Chief Town Planner  
SHAMSHER SINGH  
Chief Town Planner  
25/7/14

Copy to:-

1. Leader of House/SDMC-for kind information.
2. P.S. to Commissioner/SDMC for kind information..
3. SE(B)/SDMC
4. SE(B)/NDMC

31/07/14





F.1 (12) 2014/MP/ 354

Date: 13.10.2014

Sub: Minutes of the 12<sup>th</sup> Technical Committee held on 24-09-2014

Item No. 59/2014

**Confirmation of Minutes**

The Minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were circulated to all the members. The observation have been received for Item No. 53/2014 and 56/2014 which are as follows:

Item No. 53/2014

Chief Town Planner (SDMC) vide letter no. TP/G/SDMC/2014/5388 dated 18.09.2014 and Addl. Commr. (Plg) Infrastructure & UC vide note No. F.3 (2) 2006/MP/Vol.I/ dated 19.09.2014 have raised some observations. Chief Town Planner (SDMC) informed that the entire land is govt. /local bodies land and therefore, the change of land use may be processed. Accordingly the minutes of the Item No. 53/2014 have been modified which are as under:-

*"The proposal was presented by Chief Town Planner (SDMC), after detailed deliberation the Technical Committee agreed for the proposal of the redevelopment plan of Parda Bagh" Considering the decision already taken in MCD and recommended the proposal for Change of land use under section 11-A of DD Act 1957.*

Action Dir. (Plg) Zone A & B  
Chief Town Planner (NDMC)

Item No. 56/2014

- i) Addl. Commr. (MP&UE) has requested for modification in the minutes for item NO. 56/2014 stating that, there are no provision for relaxation of set back from preceeding to preceeding category in residential - plot/ plotted housing in MPD-2021. Therefore, it will require modification in the Master Plan - 2021. Accordingly minutes for item no. 56/2014 has been modified which are as under.

*"The proposal was presented by Director (Plg) MP after detailed deliberation Technical Committee recommended the proposal for further processing under section 11 of DD Act 1957 for modification in MPD-2021."*

Action: Director (Plg) MP

The minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were confirmed with above modifications.

Minutes of the Technical Committee Meeting Held on 21.10.2015. ITEM No. 51/TC/2015

Sub: Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing.

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2.1 After discussion among the Sr. officers of Planning Wing, DDA, it is opined that at the first instance comments/ observations from the Legal Deptt., DDA may be obtained in this regard.

2.2 Accordingly the file was submitted to Legal Deptt., DDA and the following observations were received:

- i. The deptt. is under no legal obligation to process the matter further for modification in MPD-2021.
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DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION

**VERIFIED**

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the.....9th.....Technical Committee  
Meeting held on.....21.10.2015....  
Vide Item No.....51/2015.....

Sudhehl/26.10.2015

Asst. Director

Master Plan

Dy. Director

Master Plan

26/10/2015

DELHI DEVELOPMENT AUTHORITY  
(MASTER PLAN SECTION)  
6<sup>th</sup> FLOOR: VIKAS MINAR:  
NEW DELHI.

No: F.1(7)2011-MP | 247

Dt: 29/8/11

MINUTES OF 3<sup>rd</sup> TECHNICAL COMMITTEE MEETING HELD ON 11.8.2011 .  
LIST OF THE PARTICIPANTS IS ANNEXED.

Item No. 18/11:

Sub: Confirmation of minutes of 2<sup>nd</sup> Technical Committee Meeting held on 20.4.2011.

The minutes were forwarded to the members and no comments/observations has been received for any item. Therefore, the same were confirmed.

Item No.19/11:

Sub: Development of Knowledge Based Industrial Park (KBIP) at Baprola by DSIIDC in Zone K-I.

F.3(47)2011/MP

The proposal was explained by Director (Plg.) DWK and the presentation was given by the officers of DSIIDC. After detailed deliberations, it was decided that the modifications as proposed in the Agenda at Para 4.0 may be processed under Section 11(A) of DD Act '1957 for change of land use with the condition that DSIIDC will implement the project strictly as per the activities permitted in the 'Industrial' Use Zone under MPD-2021 and further actions as identified in para 4 of the Agenda. Accordingly the name of the project will also be changed from 'Knowledge Based Industrial Park' to 'Industrial Park'.

Action: Director(Plg.(Dwarka)

Item No.20/11:

Sub: Relaxation in permissible Setbacks for existing building at Plot No.M-17, Green Park, New Delhi.

F.3(36)/2010/MP/

//The proposal for relaxation in set backs from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the set backs are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Coverage on the said plot is 75% as per MPD-2021.



- 27 -

After the detailed discussion, Technical Committee agreed to the proposal with the proviso that existing Ground Coverage(69%) as per drawings submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD

Action:Ex.Engg.(Bldg.)South Zone MCD)

Item No.21/11:

Sub:Continuance of Temporary Cinemas in Delhi.

F.11(6)/74/MP/Pt.I

The item was presented by Director (Plg.) MP & Zone 'D', it was informed that the temporary cinemas which were continuing on license basis, for a long time, at various locations in Delhi, were not conforming to the land use provisions. The MPD-2001 had stipulated the conditions for continuation of temporary cinemas, subject to maximum capacity of 300 seats; minimum front right of way 18 mtrs; One car space per 25 seats; conformity to the Cinematography Act and levying of conversion charges, to be worked out by the Authority. However, the issue of continuance of temporary cinemas is not addressed in the MPD-2021. Several representations were received from time to time in this regard and the issue of permissibility of temporary cinemas on permanent basis was also raised in one of the Authority meetings by the non official members which was also placed before the Technical Committee.

In view of the directions of the Hon'ble Lt.Governor for processing the cases of existing temporary cinemas for regularization, the matter was again placed before the Technical Committee. After detailed deliberations, it was observed that continuance of Temporary Cinemas and the possibility of effecting land use change to make them permanent in situ in Delhi should be dealt on case to case basis. Accordingly it was decided that the present status of the temporary cinemas in terms of area, ownership details and existing/functioning activities in these premises, supported by photographs/documents may be obtained to examine the matter further.

Action: Concerned Directors (Plg.)

Item No.22/11:

Sub:Revised layout plan for CRPF Campus at Mahavir Nagar, New Delhi.

F.1(25)07/MP/

Director (Plg.) C&G, DDA presented the case. It was decided that CRPF will submit the revised proposal, ensuring optimum use of land and accommodating future requirement of housing and office spaces as per MPD-2021 provisions.

Action:Dir.(Plg.)C&G Zone.

-28-

Annexure - II

OFFICE OF THE REGISTRAR APPELLATE TRIBUNAL, MCD  
ROOM NO. 29, TIS HAZARI COURTS, DELHI.

Director (P.L.)  
Dy. No. 357  
25/7/14

388/pouse  
31/7/14

Please find enclosed herewith copy of the order dated 05/5/14 passed by the Hon'ble Tribunal in bearing appeal no. 491 /ATMCD/ 12 title as Rajesh Kumar Gupta & An vs SDC in respect of property no. C-75, 'Guraji' Park, N-D-26

For compliance and necessary action. (N.D.O.H./D.O.D.- 29/8/14)

(G.R. Verma)  
Registrar

Appellate Tribunal, MCD, Delhi.

1. The Monitoring Committee,  
India Habitat Centre,  
6A, Lodhi Road, Delhi
2. The Deputy Commissioner,  
Zone,  
Delhi Municipal Corporation,  
Delhi
3. The Executive Engineer (Bldg.),  
Zone,  
Delhi Municipal Corporation,  
Delhi

The Director  
(Planning)

D.D.A  
urged P.L.

for

9/9/14

DOT

① V.H. Gupta  
DDMP & DC I

P.L. brief the P/L  
As per proceedings  
i.e. meeting held

31/07/14

Director (P.L.) m.p.

Dy. Director (P.L.) AP-2  
F-3 zone  
P.C. called.

may P.L. see the attached order of the Appellate Tribunal dated 5/5/14. Reference is made towards letter dated 15/01/2014 of DDA which relation in preceding to preceding category set back was given. As per 'X' of the order issued for DDA, Com. no. 54 R. BHARTI provided to be counsel. 1.1 - P



21-  
Before Sh. A.K. Sarpal  
Appellate Tribunal M.C.D.  
Room No. 28, New Courts  
Tis Hazari, Delhi  
Appellate No. 491/12 M.C.D. 12

Rajesh Kumar Gupta & Anr  
V/S  
DDA



A No.491/12

05.05.2014

Present : Sh. K.N.Singh, counsel for appellant.  
Sh. Ajay Arora, Standing Counsel for MCD  
alongwith Sh. Mohit Sharma and Sh. Shashi  
Kant Sharma counsels for MCD and Sh.  
Sudhir Mehla, EE(BHQ) alongwith Sh.  
Joginder Singh, AE(BHQ) in person.  
Sh. P.K. Aggarwal and Sh. Sanjay Sharma  
counsels for DDA.

Vakalatnama on behalf of DDA filed.

There are two connected matters pertaining to the  
same property. On behalf of the respondent MCD it is stated  
that after considering the clarifications received from the  
DDA dated 15.01.2014 it has been decided that the MCD  
will take action in accordance with the said report for the  
time being and in case DDA in future wants to take a  
different stand then MCD will also act accordingly.

The DDA clarification dated 15.01.2014 leads to the  
inference that a relaxation in preceding to preceding  
category set backs was given in respect of property number  
M-17, Green Park, as a special case after freezing the  
ground coverage and that benefit is now not permissible in  
future similar matters. The decision of the DDA in respect of  
that property was a specific case and not a general  
instructions or decision. However, nothing is mentioned in  
the clarification or in the accompanying documents what  
was the special circumstances that exceptional benefits  
were given to the owner of that property.

Appellant is claiming the similar benefit on the  
ground of parity but it appears also that the above benefit  
was given perhaps wrongly and in violation of the provisions  
of Master Plan to give some undue advantage to the owner  
of that property number M-17, Green Park, or due to some  
bonafide mistake. On behalf of the DDA it is stated that the  
wrong once done whether intentionally or by mistake can



Contd.



S. No.	Date	Order
		<p>not be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.</p> <p>Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be a possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal, in case he is not given the same benefit on the ground of parity. In that eventuality atleast the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park, who was apparently not at fault but might be suffering due to wrong decisions of the DDA.</p> <p>Counsel for DDA wants to seek instruction from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.</p> <p>Appellant also wants to consult some architect and structural engineer to find out whether there is any solution of rectification of the property in such a manner that the less damage is caused to it and proceeding category set back is achieved if for the sake of arguments it is presumed that the benefit of parity is not given to him even by the Hon'ble High Court in writ petition.</p> <p>Put up this matter on 29.08.2014 for further proceedings. Copy of the order be sent to Director (Planning) DDA and one copy be given Dasti to Counsel for DDA. Interim stay is extended till next date.</p> <p>(ASHWANI SARFAL) Appellate Tribunal, MCD</p>





31-  
ANTI-DUMPING III

20/8  
30/7/14

SOUTH DELHI MUNICIPAL CORPORATION  
TOWN PLANNING DEPARTMENT  
E-Block, 21<sup>ST</sup> Floor, Civic Centre, Minto Road, New Delhi-110002

No: TP/S/SDMC/2014/S061

Dated: 28/7/14

Sh.R.K.Jain,  
The Addl. Commissioner (Plg.)  
Delhi Development Authority,  
Vikas Minar, I.P. Estate,  
New Delhi.

Sub:- Discussion during the meetings chaired by Vice-Chairman/DDA on 21.07.2014

Sir,

In the above referred meeting the following issues were discussed:-

- A. Stilt parking in the Residential Plot – Plotted Housing as a follow up of the High Court Orders dated 29.05.2014 in the matter of P.K. Chatterjee v/s Union of India.
- B. Relaxation of the setbacks from preceding to the preceding category of the Residential plot to achieve the Master Plan FAR and the ground coverage w.r.t. MCD court case on the subject.
- C. Development of scheme by Standard plan or modification in scheme as per development control norms of Master Plan for Delhi-2021.

Vice-Chairman desired a written reply on behalf of SDMC on the above issues. On stilt parking a detail status report along with the affidavits as filed by SDMC and MOUD is enclosed.

Besides the Hon'ble Leader of House of SDMC Sh. Subhash Arya has also requested that stilt parking should not be insisted on narrow lanes/non-trafficable roads because on such roads the movement space for vehicles for parking under stilts is not available.

As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by the Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

As regards the development control norms for shop cum residential plots, the opinion on behalf of MCD is already before the Technical Committee and the same is reproduced below:-

*"It is suggested that on all shop-cum-Residential plots (pre 1962 or after 1962) the Residential Development Control Norms shall be applicable whether such Shop-cum-Residential Complex are designated as LSC (under MPD-2001/2021) or not. The Residential Norms shall be applicable at the time of sanction of bldg. Plans on individual plots or addition/alteration on individual plots. The parking charges shall be charged as per Mixed Use policy for providing parking in the vicinity. The Standard Plans shall be revised as per the provisions of MPD-2021 with the Development Control Norms as applicable for Residential Plots. The Basement area may be used for Commercial purpose subject to payment of charges as per Mixed Use Regulations".*

Earlier necessary action on the issues are requested for.

Encl:- As above

Yours faithfully,

*Shamsher Singh*  
Chief Town Planner  
SHAMSHER SINGH  
Chief Town Planner  
25/7/14

Copy to :-

1. Leader of House/SDMC-for kind information.
  2. P.S. to Commissioner/SDMC for kind information..
  3. SE(B)/SDMC
  4. SE(B)/NDMC
- 31/07/14



DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (12) 2014/MP/ 354

Date: 13.10.2014

Sub: Minutes of the 12<sup>th</sup> Technical Committee held on 24-09-2014

Item No. 59/2014

#### Confirmation of Minutes

The Minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were circulated to all the members. The observation have been received for Item No. 53/2014 and 56/2014 which are as follows:

Item No. 53/2014

Chief Town Planner (SDMC) vide letter no. TP/G/SDMC/2014/5388 dated 18.09.2014 and Addl. Commr. (Plg) Infrastructure & UC vide note No. F.3 (2) 2006/MP/Vol.I/ dated 19.09.2014 have raised some observations. Chief Town Planner (SDMC) informed that the entire land is govt. /local bodies land and therefore, the change of land use may be processed. Accordingly the minutes of the Item No. 53/2014 have been modified which are as under:-

*"The proposal was presented by Chief Town Planner (SDMC), after detailed deliberation the Technical Committee agreed for the proposal of the redevelopment plan of Parda Bagh" Considering the decision already taken in MCD and recommended the proposal for Change of land use under section 11-A of DD Act 1957.*

Action Dir. (Plg) Zone A & B  
Chief Town Planner (NDMC)

Item No. 56/2014

- i) Addl. Commr. (MP&UE) has requested for modification in the minutes for item NO. 56/2014 stating that, there are no provision for relaxation of set back from preceeding to preceeding category in residential - plot/ plotted housing in MPD-2021. Therefore, it will require modification in the Master Plan - 2021. Accordingly minutes for item no. 56/2014 has been modified which are as under.

*"The proposal was presented by Director (Plg) MP after detailed deliberation Technical Committee recommended the proposal for further processing under section 11 of DD Act 1957 for modification in MPD-2021."*

Action: Director (Plg) MP

The minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were confirmed with above modifications.





- 1 -

ITEM No. 52/TC/2015

**DELHI DEVELOPMENT AUTHORITY**

MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

**F.1 (10) 2015/MP/ 337**

**Date: 23.10.2015**

**Subject: Minutes of the 9<sup>th</sup> Technical Committee held on 21.10.2015**

The 9<sup>th</sup> meeting of Technical Committee was held under the Chairmanship of V.C., DDA on 21.10.2015. The List of the participants is annexed at 'Annexure- A'. Please find enclosed herewith a copy of the minutes for further necessary action.

Encl.: As above

(S.B. Khodankar)

**Director (Plg.) MP&DC**

**To:**

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) MP&MPR, DDA
14. Addl. Commr.(Plg.) TB&C, DDA
15. Addl. Commr.(Plg.) AP, DDA
16. Addl. Commr.(Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC, NDMC, EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

Agenda Item No.	Issue	Discussion/ Recommendations	Remarks
46/2015	Confirmation of minutes of the 8th Technical Committee meeting held on 31.08.2015	Chief Fire Officer observed w.r.t. the Item No. 45/2015 that the provision to exempt all the staircases from FAR should be for all the use premises and enabling provision for the same may be made in the relevant chapters of Master Plan. Rest of the items were confirmed.	
47/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, Technical Committee observed that the provisions of parking are area specific and need to be addressed by the respective municipal corporations of Delhi for the areas under their jurisdiction within the framework of Master Plan provisions for parking. As such no master Plan modification is warranted as proposed in the agenda item.	- Action: Director (Plg) MP&DC
48/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDf) for Hazardous waste of Delhi.	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg) MP&DC
49/2015	Proposed change of Landuse of an area measuring 1.12 Ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' in Zone D.	The proposal was presented by Asstt. Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg.) Zone-D



50/2015	Proposed Sports Complex in Sector-33 (Phase- IV & V) previous Sector-23 (Phase III)	The proposal was presented by Director (Plg) Rohini. After detailed deliberation, the item was withdrawn with observation that such modifications to the Master Plan should cover all the sport complexes as a common agenda. Accordingly, a fresh item may be put up before Technical Committee in its meeting.	<b>-Action:</b> <b>Director (Plg) Rohini</b>
51/2015	Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding category in Residential Plot – Plotted Housing.	<p>The proposal was presented by Dy.Director (Plg) MP&amp;DC. During the meeting, the following issues were deliberated:</p> <ul style="list-style-type: none"> <li>• As per MPD-2021, under Para 4.4.3 A. related to the development control norms of Residential Plot-Plotted Housing in its sub-para pt.(x) (a) wherein minimum setbacks are prescribed, provides that "In case the permissible coverage is not achieved with the prescribed setbacks in a plot, the setbacks of the preceding category may be allowed". There is no provision for permitting setbacks of preceding to preceding category in Residential Plot-Plotted Housing in MPD-2021.</li> <li>• In case of property No. M-17, Green Park, the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 gave the benefit of ground coverage of preceding to preceding category by way of relaxation of set-backs which was not as per the Master Plan provisions and as such was not within the jurisdiction of the Technical Committee.</li> <li>• Further, it is observed that the Ground Coverage of 75% is the maximum limit and not the minimum which may vary according to shape of the plot.</li> </ul> <p>Hence, the decision taken by the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 in case of property No. M-17, Green Park is void ab -initio and therefore, stands withdrawn.</p>	<b>Action-</b> <b>Director (Plg) MP&amp;DC</b>

List of participants of 09<sup>th</sup> meeting for the year 2015 of Technical Committee on 21.10.2015

**DELHI DEVELOPMENT AUTHORITY**

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Commissioner (Plg), DDA
4. Chief Architect, HUPW/DDA
5. Chief Legal Advisor, DDA
6. Addl. Commissioner (Landscape), DDA
7. Director (plg.) VC Sectt.
8. Director (Plg) MP, DDA
9. Director(Plg.) Zone C&G
10. Director(Plg.) (LP/NP/Rohini)
11. Dy. Director (Plg.) Rohini

**OTHER ORGANIZATION**

1. Sh. Rajeev Sood, Chief. Architect, NDMC
2. Ms. Ritu Kapila, Architect, CPWD
3. Sh. Shamsheer Singh, CTP, SDMC/NDMC
4. Sh. Sudhir Mehta, Ex.En.(Bldg),SDMC
5. Sh. Devesh Chand, A.E./L & D.O
6. Sh. S.K.Maggu, A.E.,L&D.O.
7. Sh. Sushil Kumar, Architect, NDMC
8. Virendra Kumar AE, CPWD
9. Sh. Niyam Pal Singh, ACP,(Delhi Traffic Police)
10. Sh.A.K.Sharma, Director, DFS
11. Sh. G.C.Mishra, CFO, DFS



**DELHI DEVELOPMENT AUTHORITY**  
**MASTER PLAN SECTION**  
**6<sup>th</sup> FLOOR, VIKAS MINAR**  
**I.P Estate, New Delhi - 110002**  
**Phone No. 23370507**

F.1 (11)/2015/MP/368

Date 11/12/2015

**MEETING NOTICE**

The 10<sup>th</sup> Technical Committee meeting of DDA for the year 2015 will be held under the Chairmanship of Vice Chairman, DDA on **Wednesday 02.12.2015 at 10.00 AM in the Conference Hall at B-Block, 1<sup>st</sup> Floor, Vikas Sadan, INA, New Delhi 110023.**

It is requested to make it convenient to attend the meeting.

(S.B. Khodankar)  
**Director (MP&DC)**

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
- ✓ 4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
- ✓ - 7. Chief Planner, TCPO
- 8 - 8. Chief Architect, HUPW, DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development), DMRC
11. Chief Engineer (Elect.), DDA
- 11 - 12. Addl. Commr. (Landscape), DDA
13. Addl. Commr. (Plg.) AP&Building, DDA
14. Secretary, DUAC
15. Chief Town Planner, SDMC/ NDMC/ EDMC
16. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
17. Dy. Commr. of Police (Traffic) Delhi
18. Land & Development Officer, (L&DO)
19. Director Fire Service, GNCTD

**N.O.O:**

1. Chief Security officer, Vikas Sadan, DDA, INA, New Delhi-23.
2. Asstt. Director Zone- 'A' & 'B' for uploading the presentation in Computer at Conference Hall
3. A.E. (Maintenance)-I, Civil, B-Block Vikas Sadan, DDA, INA, New Delhi-110023.
4. A.E (Maintenance), Electrical Vikas Sadan, DDA, INA, New Delhi-110023.
5. Reception, Vikas Sadan, DDA, INA, New Delhi-110023

1. Dir. (MP) - 11/12/15

2. Alka Arya, DD (LP) - 11/12/15

# INDEX

## 10<sup>th</sup> Technical Committee Meeting to be held on 02.12.2015

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2.	53/2015	Proposed modifications in MPD-2021 w.r.t. exemption of area of all staircases from FAR in all use premises. <b>F20(19)2015/MP</b>	5-6
3.	54/2015	Proposed modifications in MPD-2021 regarding provisions of Stack Parking. <b>F.3(4)2015/MP</b>	7-35
4.	55/2015	Proposal for change of land use of plot measuring 8670.88sqm at Sector-2, Dwarka from "Residential" to "Public & Semi- Public" for DOPT, GOI. <b>F.1(397)/99/Dwk./</b>	36-43



**DELHI DEVELOPMENT AUTHORITY**  
MASTER PLAN SECTION  
6<sup>th</sup> FLOOR, VIKAS MINAR  
I.P Estate, New Delhi – 110002  
Phone No. 23370507

F.1 (11)/2015/MP/ 368

Date 11/12/2015

**MEETING NOTICE**

The 10<sup>th</sup> Technical Committee meeting of DDA for the year 2015 will be held under the Chairmanship of Vice Chairman, DDA on **Wednesday 02.12.2015 at 10.00 AM in the Conference Hall at B-Block, 1<sup>st</sup> Floor, Vikas Sadan, INA, New Delhi 110023.**

It is requested to make it convenient to attend the meeting.



(S.B. Khodankar)  
Director (MP&DC)

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW, DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) AP&Building, DDA
14. Secretary, DUAC
15. Chief Town Planner, SDMC/ NDMC/ EDMC
16. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
17. Dy. Commr. of Police (Traffic) Delhi
18. Land & Development Officer, (L&DO)
19. Director Fire Service, GNCTD

**DELHI DEVELOPMENT AUTHORITY**  
MASTER PLAN SECTION  
6<sup>th</sup> FLOOR, VIKAS MINAR  
I.P Estate, New Delhi – 110002  
Phone No. 23370507

F.1 (11)/2015/MP/368

Date 11/12/2015

**MEETING NOTICE**

The 10<sup>th</sup> Technical Committee meeting of DDA for the year 2015 will be held under the Chairmanship of Vice Chairman, DDA on Wednesday 02.12.2015 at 10.00 AM in the Conference Hall at B-Block, 1<sup>st</sup> Floor, Vikas Sadan, INA, New Delhi 110023.

It is requested to make it convenient to attend the meeting.



(S.B. Khodankar)  
Director (MP&DC)

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
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16. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
17. Dy. Commr. of Police (Traffic) Delhi
18. Land & Development Officer, (L&DO)
19. Director Fire Service, GNCTD

**N.O.O:**

1. Chief Security officer, Vikas Sadan, DDA, INA, New Delhi-23.
2. Asstt. Director Zone- 'A' & 'B' for uploading the presentation in Computer at Conference Hall
3. A.E. (Maintenance)-I, Civil, B-Block Vikas Sadan, DDA, INA, New Delhi-110023.
4. A.E (Maintenance), Electrical Vikas Sadan, DDA, INA, New Delhi-110023.
5. Reception, Vikas Sadan, DDA, INA, New Delhi-110023





**DELHI DEVELOPMENT AUTHORITY**

MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

**F.1 (10) 2015/MP/ 337**

**Date: 23.10.2015**

**Subject: Minutes of the 9<sup>th</sup> Technical Committee held on 21.10.2015**

The 9<sup>th</sup> meeting of Technical Committee was held under the Chairmanship of V.C., DDA on 21.10.2015. The List of the participants is annexed at 'Annexure- A'. Please find enclosed herewith a copy of the minutes for further necessary action.

Encl.: As above

(S.B. Khodankar)  
**Director (Plg.) MP&DC**

**To:**

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) MP&MPR, DDA
14. Addl. Commr.(Plg.) TB&C, DDA
15. Addl. Commr.(Plg.) AP, DDA
16. Addl. Commr.(Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC, NDMC, EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

Agenda Item No.	Issue	Discussion/ Recommendations	Remarks
46/2015	Confirmation of minutes of the 8th Technical Committee meeting held on 31.08.2015	Chief Fire Officer observed w.r.t. the Item No. 45/2015 that the provision to exempt all the staircases from FAR should be for all the use premises and enabling provision for the same may be made in the relevant chapters of Master Plan. Rest of the items were confirmed.	
47/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, Technical Committee observed that the provisions of parking are area specific and need to be addressed by the respective municipal corporations of Delhi for the areas under their jurisdiction within the framework of Master Plan provisions for parking. As such no master Plan modification is warranted as proposed in the agenda item.	- Action: Director (Plg) MP&DC
48/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi.	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg) MP&DC
49/2015	Proposed change of Landuse of an area measuring 1.12 Ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' in Zone D.	The proposal was presented by Asstt. Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg.) Zone-D



50/2015	Proposed Sports Complex in Sector-33 (Phase- IV & V) previous Sector-23 (Phase III)	The proposal was presented by Director (Plg) Rohini. After detailed deliberation, the item was withdrawn with observation that such modifications to the Master Plan should cover all the sport complexes as a common agenda. Accordingly, a fresh item may be put up before Technical Committee in its meeting.	-Action: Director (Plg) Rohini
51/2015	Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding category in Residential Plot – Plotted Housing.	<p>The proposal was presented by Dy.Director (Plg) MP&amp;DC. During the meeting, the following issues were deliberated:</p> <ul style="list-style-type: none"> <li>• As per MPD-2021, under Para 4.4.3 A. related to the development control norms of Residential Plot-Plotted Housing in its sub-para pt.(x) (a) wherein minimum setbacks are prescribed, provides that "In case the permissible coverage is not achieved with the prescribed setbacks in a plot, the setbacks of the preceding category may be allowed". There is no provision for permitting setbacks of preceding to preceding category in Residential Plot-Plotted Housing in MPD-2021.</li> <li>• In case of property No. M-17, Green Park, the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 gave the benefit of ground coverage of preceding to preceding category by way of relaxation of set-backs which was not as per the Master Plan provisions and as such was not within the jurisdiction of the Technical Committee.</li> <li>• Further, it is observed that the Ground Coverage of 75% is the maximum limit and not the minimum which may vary according to shape of the plot.</li> </ul> <p>Hence, the decision taken by the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 in case of property No. M-17, Green Park is void ab -initio and therefore, stands withdrawn.</p>	Action- Director (Plg) MP&DC

List of participants of 09<sup>th</sup> meeting for the year 2015 of Technical Committee on 21.10.2015

**DELHI DEVELOPMENT AUTHORITY**

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Commissioner (Plg), DDA
4. Chief Architect, HUPW/DDA
5. Chief Legal Advisor, DDA
6. Addl. Commissioner (Landscape), DDA
7. Director (plg.)VC Sectt.
8. Director (Plg) MP, DDA
9. Director(Plg.) Zone C&G
10. Director(Plg.) (LP/NP/Rohini)
11. Dy. Director (Plg.)Rohini

**OTHER ORGANIZATION**

1. Sh. Rajeev Sood, Chief. Architect, NDMC
2. Ms. Ritu Kapila, Architect, CPWD
3. Sh. Shamsher Singh, CTP, SDMC/NDMC
4. Sh. Sudhir Mehta, Ex.En.(Bldg),SDMC
5. Sh. Devesh Chand, A.E./L & D.O
6. Sh. S.K.Maggu, A.E.,L&D.O.
7. Sh. Sushil Kumar, Architect, NDMC
8. Virendra Kumar AE, CPWD
9. Sh. Niyam Pal Singh, ACP,(Delhi Traffic Police)
10. Sh.A.K.Sharma, Director, DFS
11. Sh. G.C.Mishra, CFO, DFS



236/c

*Minutes of the 9th Technical Committee Meeting Held on 21.10.2015.*

Item No. 50/2015  
Date: 21.10.2015

Subject: Proposed Sports Complex in Sector-33 (Ph-Iv & V), previous Sector-23 (Ph-III).

R.20(18)/2015-MP

#### 1. BACKGROUND

- I. A request from Confederation of RWAs of Sector-20 to 25 of Rohini has been received, forwarded by Hon'ble Member of Parliament for development of Sports Complex in this area. It has been forwarded by Raj Niwas.
- II. As per approved composite plan of sector-20 to 25, Rohini (Ph-III) the site under reference has been earmarked for Recreational purpose.
- III. The plan prepared by Landscape unit was approved in 231<sup>st</sup> Screening Committee held on 15.03.2004 vide item no. 33:2004 with the direction that "No construction shall be carried out in the Sport center only open field and jogging track shall be developed".
- IV. The Sports Complex plan approved on 15.03.2004 facilities such as open field/ courts for various sports, Swimming Pool, Multi Gym etc.
- V. As per the Scheme for Rohini Phase-IV and V, the area under reference has been re-designated as part of Sector-33, Rohini.

#### 2. MPD-2021 PROVISIONS.

- i. The land use as per MPD 2021 and notified ZDP of Zone-M is 'Recreational' where only Sports Activity, Play Ground, Amenity Structures are permitted.
- ii. As per MPD-2021 the Sports facilities are categorized under Chapter-13, Social Infrastructure. As per MPD-2021, Sports Facilities/ Complex/Stadium / Sports Centre are categorized under land use "Public and Semi-public Facilities".
- iii. The proposed Sports facility will be covered under District Sports Centre catering for a population of 5 lakhs and above. Development Control Norms as per para 13.3.3 are reproduced below.

Maximum ground coverage	20% including amenity structures
Max. FAR	40
Height	NR (Subject to clearance from AAI, Fire Dept. and other statutory bodies).
Parking	2 ECS/ 100 sqm of floor area.

#### 3. EXAMINATION

- I. Total Station survey has been provided by Engineering Wing for the area under reference, green belt etc. measuring about 21.62 ha. This has been forwarded by Dy. Dir. (Arch.)-II vide letter No. F1(01)09/SA(R&N)/HUPW/DDA/39 dated 24.02.2015.
- II. The site is parallel to 80 m wide Urban Extension Road-III. ZDP for Zone-M has proposed two roads (30 and 40 m wide) for connecting proposed development in sector-33. This has been demarcated in Total Station survey. The area available for development of proposed District Sports Complex is 8.90 ha. The layout plan is enclosed as Annexure-I.
- III. In view of above this will require processing of modification in the land use of MPD-2021 and ZDP for Zone-M under Section-11-A of DDA Act 1957.

#### 4. STATUS REPORT

The information based on the format provide by MoUD vide letter dated 07.04.2015 is given below:

Sl.No		Status
I.	Whether the land is government or private and who is the land owning agency?	Land acquired and possession with DDA for planned development of Rohini Ph.-III, IV & V. Land is available and with Engineering Wing DDA.
II.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	A request from RWA's has been received for development of Sports Complex in this area. At present DDAs Sport Complex is located opposite Sector-IX. As per ZDP for Zone-M, Sports Facility has been proposed in Sector-34 which is located at distance of about 5-6 km & is yet to be developed.
III.	Whether a responsible office from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Total Station Survey has been provided by the Engineering Wing. The site has been inspected by Dy. Director(Plg.), Dy. Director (Survey) of Rohini Project. The site is without any development.
IV.	What is the public purpose proposed to be served by modification of MPD and/or change of land use?	This facility will cater to the population residing in Sectors-20 to 25 and population of Sector-32, 36, 37, 38 where the plots have been allotted recently.
V.	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal is within the provision of MPD-2021. The FAR & Ground coverage for Sports facility is comparatively low and will also provide for large open spaces & landscape areas with tree plantation.
VI.	What will be proposal's impact/implications on general public e.g. Law & order etc.?	This will be additional facility for the general public & will not have any impact on Law & order.
VII.	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	The scheme for this area has been prepared in 2004 and Total Station Survey has been provided by the Engineering Wing in 2014. No court case/ownership dispute has been reported.

#### 5. PROPOSAL

The following modifications is proposed in Master Plan for Delhi-2021 & Zonal Development plan for Zone-M under Section-11-A of DDA Act 1957.

Location	Area (in Ha.)	Landuse (as per MPD-2021 & ZDP of Zone-M)	Proposed Landuse	Boundaries
Sector-33 Rohini, Ph-IV.		Recreational	Public & Semi Public Facilities. (PS3) Sports Facilities/ Complex/ Stadium/ Sports Centre	North- Sector-32, Rohini. East- 30.0 m. wide green belt, and 80.0 m wide road R/W(UER-III) South- Under Ground Reservoir (existing) West- Sector-33, Rohini.



Based on the consideration & recommendation of Technical Committee, the proposal will be placed before the Authority for processing under section-11-A of DD Act, 1957, for inviting objections/suggestion from the public.

#### 6. RECOMMENDATION

The proposal contain in para-5 is placed before the Technical Committee for consideration and approval please.

### " DECISION "

50/2015	Proposed Sports Complex in Sector-33 (Phase- IV & V) previous Sector-23 (Phase III)	The proposal was presented by Director (Plg) Rohini. After detailed deliberation, the item was withdrawn with observation that such modifications to the Master Plan should cover all the sport complexes as a common agenda. Accordingly, a fresh item may be put up before Technical Committee in its meeting.	-Action: Director (Plg) Rohini
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दिल्ली विकास प्राधिकरण  
DELHI DEVELOPMENT AUTHORITY  
गृहिणी योजना कार्यालय  
HOUSING PLANNING OFFICE

Location	Area [in ha]	Landuse (as per land use map, 1985)	Proposed Landuse	Boundaries
Sector 33, Rohini Phase-I	8.32-0.08 to 32.00 (A, B)	Recreational	Public & Semi-public facilities PSUs Public Complex Stadium/Sports Centre	North-Sector-32, South- East - 30.0, 40.0, 40.0 East - 30.0, 40.0, 40.0, 40.0 road B/W (JEEB-III) South - Under G.O. West - 50.0-50.33, Rohini

NOTE:

1. THIS DRAWING IS BASED ON TOTAL STATION SURVEY FORWARDED BY  
 DW. DIRECTOR, IARCH III VICE LETTER NO.F10109/SARENH/HUN/TCOA/39  
 DATED 24.02.2015
2. ALL DIMENSIONS ARE IN METERS.  
 ONLY WRITTEN DIMENSIONS ARE TO BE FOLLOWED.

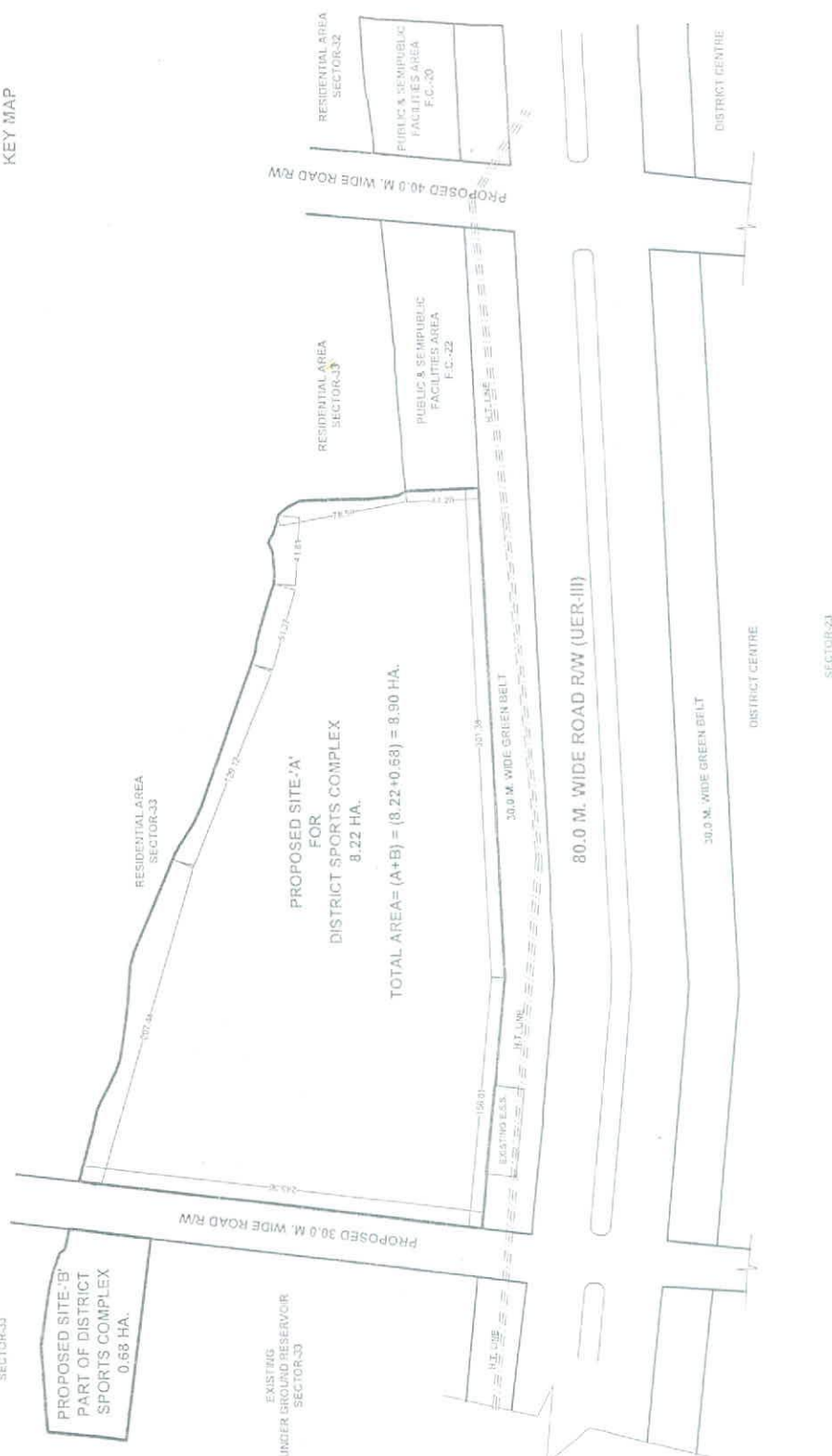
233/

FILE NO.: DCR(PLG)R/4937/2005

CHANGE OF LANDUSE FROM  
" " RECREATIONAL" TO " PUBLIC & SEMIPUBLIC  
FACILITIES" (PS3) SPORTS COMPLEX IN  
SECTOR-33, ROHINI, PHASE-IV

[illegible]

### KEY MAP



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Minutes of the 9th Technical Committee Meeting  
Held on 21.10.2015.

Sub: Proposed change of land use of an area measuring 1.12 ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' for the Ministry of New and Renewable, Government of India in Planning, Zone-D.

File No. F.20 (11)2015/MP

#### 1.0 BACKGROUND

- 1.1 MoUD, GOI vide letter dated 18.05.2015 forwarded a letter dated 12.05.2015 received from the Ministry of New and Renewable Energy (MNRE), addressed to MoUD, GOI for necessary action regarding allotment of land for the construction of 'Akshay Urja Bhawan' in New Delhi.
- 1.2 Further, MNRE vide letter dated 23.06.2015 enclosing therewith Prime Minister Office reference dated 09.06.2015 requested L&DO, MoUD, GOI that necessary procedure for change of land use from 'Bus Terminal' to 'Government Office' may be initiated and the necessary approval for the change of land use be accorded.
- 1.3 L &DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis.

#### 2.0 EXAMINATION

- 2.1 The site under reference falls in Planning, Zone-D and outside the 'Lutyens Bungalow Zone (LBZ)'.
- 2.2 The plot under reference is located opposite CGO Complex, New Delhi and adjacent to the proposed office building of National Investigating Agency.
- 2.3 As per MPD-2021, the land use of the site under reference is 'Residential' & as per approved Zonal Development Plan of Zone 'D' prepared under MPD-2001, the land use of the site under reference is 'Transportation (Bus Terminal)'.
- 2.4 As per L&DO allotment letter dated 12.06.2015, land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis' subject to the terms and conditions that the plot of land so allotted to MNRE for construction of 'Akshay Urja Bhawan' shall be used only for the purpose for which it is allotted and not be further transferred by MNRE.



- 2.5 As per table 8.2 of MPD-2021, the Development Control Norms for the 'Government Office' as per MDP-2021 area are as under:

Category	Ground Coverage	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Activities permitted
Integrated Office Complex	30	200	NR, subject to approval of AAI, Fire Department and other statutory bodies	1.8	Government Offices, Watch And Ward Residence/ Residential Maintenance Staff (Maximum 5% of FAR), Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)

### 3.0 JUSTIFICATION & PUBLIC PURPOSE TO BE MET THROUGH THIS PROPOSED CHANGE OF LAND USE

#### 3.1 Justification & Public Purpose to be met

1. The land has been allotted by Land & Development Office (L & DO) to the Ministry of New and Renewable Energy for the construction of 'Akshay Urja Bhawan'.
2. As per the report received from MNRE, it is mentioned that *MNRE is the nodal Ministry of Govt. of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of Energy to supplement energy requirements of the country. MNRE is having its main office in Block 14 of CGO Complex. Apart from this, due to paucity of space in Block 14, some other branches are functioning from Block 3 and Paryavaran Complex in CGO Complex. The senior officers are sitting in two differently located buildings sometimes; it becomes difficult to interact with them particularly as and when any emergency situation arises.*

*Keeping in view the growing importance of energy sector and the fact that proper working conditions are absolutely necessary for human resource to be more productive, Government is also committed to give thrust to renewable sources of energy in order to reach 120 crore population in the country. Being the nodal Ministry of the Government of India for all matters relating to new and renewable energy, the Ministry is promoting green campuses, green buildings and net zero energy buildings. In order to demonstrate all this, it is important that the building in which MNREs own office is located, has all the features of renewable energy which MNRE is promoting. Therefore, MNRE would like to construct an eco-friendly, energy efficient and net zero building.*

3.2 MOUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information asked by MOUD vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	It is a government land and is with Land & Development Office (L&DO), MoUD, GOI.
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	L&DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land to MNRE for the construction of 'Akshay Urja Bhawan'. On the basis of this, the proposed change of land use of the site under reference has been initiated.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	The site under reference was inspected by Addl. Commr. (Plg.) AP, Director (Plg.) F,H & D-Zone and Asstt. Director (Plg.) Zone -D on 14.10.2015. The report is as under: <ul style="list-style-type: none"> <li>At present, the site is accessible from Jawharlal Nehru Marg having 45 m R/W. The entry to the site is through a 12.0 m wide road.</li> <li>There is a temporary structure of 'Golden Jubilee Hall' of CRPF on one side of the site and on the other side; there are tin sheds and barracks existing on the site and also, a fountain exists at the site.</li> <li>Some part of the site is maintained as green area.</li> </ul>
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	MNRE is the nodal Ministry of Government of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of energy to supplement energy requirements of the country and therefore, it is for larger benefit of the people at large.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	As such, no impact of proposal on the ZDP/ MPD.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	No adverse impact on law and order are anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	It relates to the land owning agency i.e. L&DO.

#### 4.0 Proposal

##### Change of land use:

In view of L & DO letter dated 12.06.2015, the land use in respect of an area measuring 2.76 acres opposite to CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-D, may be changed from 'Residential' to 'Government (Govt. Office)' for the construction of Akshay Urja Bhawan under Section 11A of DD Act, 1957. The boundary description of the same is as follows (Refer location map and detail Survey plan at Annexure 'A'):

Location	Area	Land use as per MPD-2021/ ZDP	Land use Changed to	Boundaries
1	2	3	4	5
Proposed Akshay Urja Bhawan for the Ministry of New and Renewable Energy, opposite CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-'D'	1.12 ha. (2.76 acres)	As per MPD-2021 - 'Residential'	'Government (Govt. Office)'	North: Dayal Singh College South: 13.5 m wide Road and Pragati Vihar Hostel East: Proposed/ under construction NIA Building West: Lochi Road Complex and Park
		As per approved Zonal Development Plan of Zone-D prepared under MPD-2001- 'Transportation (Bus terminal)'	'Government (Govt. Office)'	

#### 5.0 Recommendation

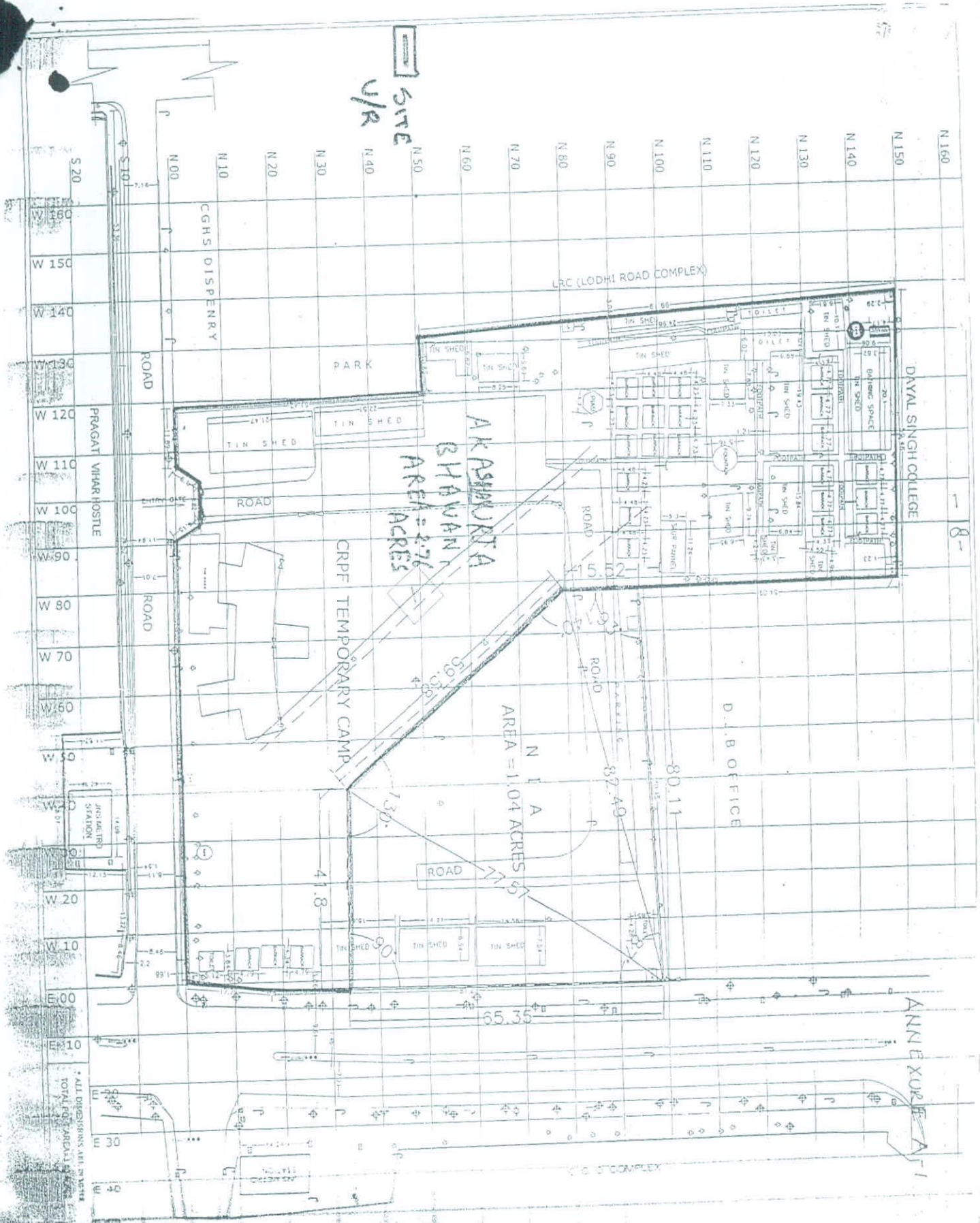
Proposal as given in para 4.0 above may be considered by the Technical Committee so that the proposed change of land may be processed further under Section 11A of DD Act, 1957.

### DECISION

49/2015	Proposed change of Landuse of an area measuring 1.12 Ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' in Zone D.	The proposal was presented by Asstt. Director (Plg) Zone 'D. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg.) Zone-D
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SITE  
u/r

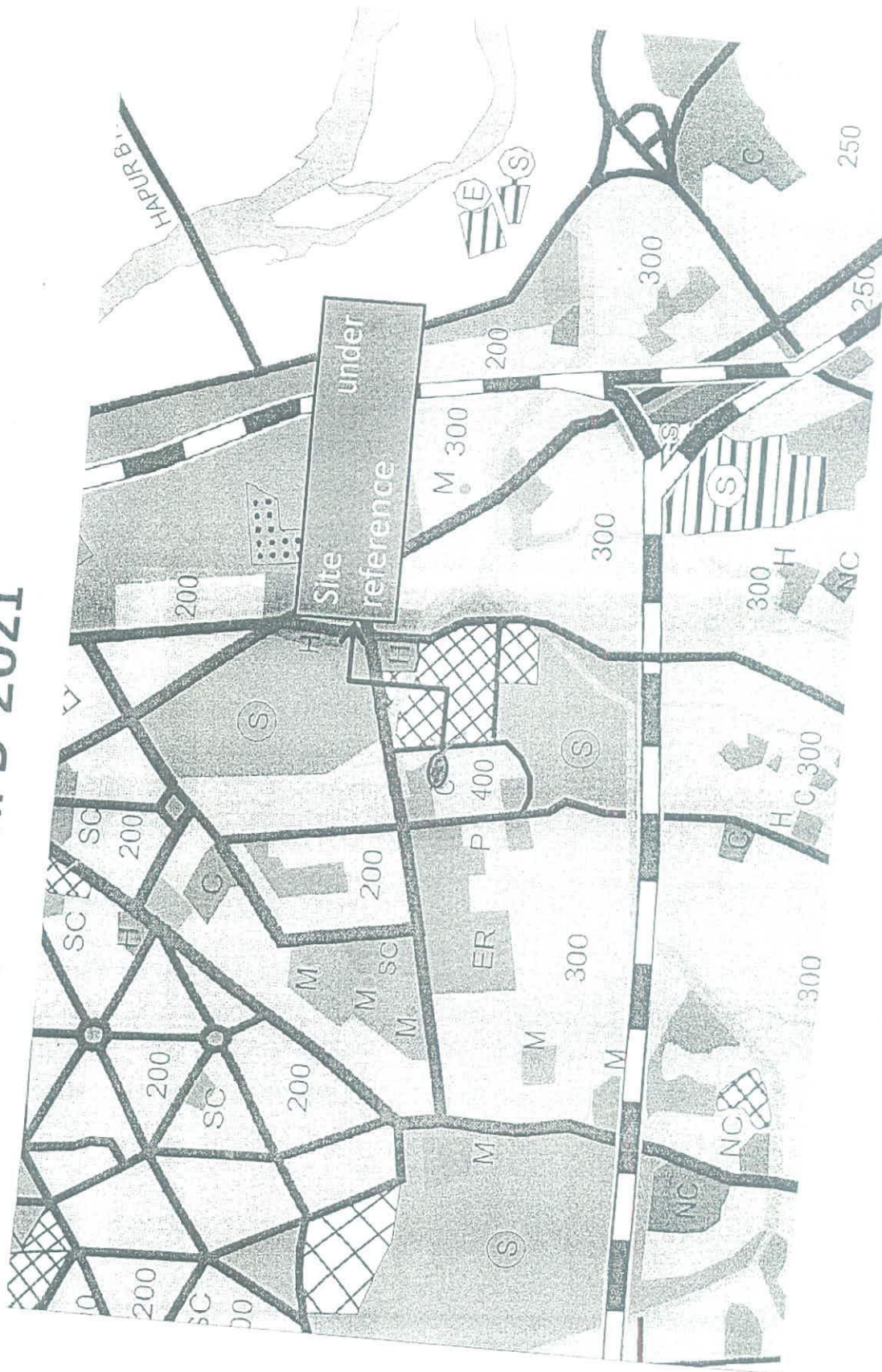
AKASHWANTIA  
BHAWANI  
AREA = 2.76  
ACRES

AREA = 1.04 ACRES

\* ALL DIMENSIONS ARE IN METERS  
TOTAL FOOT ABGALL 1.04 ACRES



# Location as per MPD-2021





# Minutes of the Technical Committee meeting Held on 21.10.2015.

Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi.

File No. F.20(08)2015/MP

## 1.0 Background

- 1.1 Secretary (Environment) cum-Chairman, Delhi Pollution Control committee (DPCC), GNCTD vide letter No. F12(367)/Env/MoEF CSS/10/881 dt.25.02.2013 addressed to VC,DDA, has requested "to identified the appropriate sites for development of TSDF (Treatment, Storage & Disposal Facility) for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the public interest at large."
- 1.2 Subsequently, Secretary (Environment) cum-Chairman, DPCC vide letter dated 04.07.2014 has again requested "to identify and allot about 50 acres of land at appropriate sites for development of TSDF for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the larger public interest."
- 1.3 In compliance to the directions of Hon'ble NGT passed vide order dt. 01.10.2014 in Original Application No. 305 of 2013 entitled, "Balam Singh Rawat vs. GNCTD & Ors." a meeting was convened by Secretary (Environment), GNCTD on 03.11.2014 with the Department of Environment of various neighbouring states i.e. Haryana, Uttar Pradesh & Rajasthan to discuss the issue regarding the sharing of existing TSDF sites in their states with Delhi. In the meeting it was observed that:  
"Since it is important land related matter, the meeting must be chaired by a High Level Officer from Ministry of Environment and Forests, Government of India. Secretary (Environment), Govt. of NCT of Delhi further added that Ministry of Urban Development, Government of India, should direct DDA (the land owning agency in case of Delhi) to earmark and allocate suitable land for setting up of TSDF for Hazardous Waste of Delhi. Joint Advisor (PHE), Ministry of Urban Development, Government of India present in the meeting agreed to it.
- 1.4 In response to D.O. letter dt. 12.12.2013 of Secretary (Environment) cum-Chairman, DPCC addressed to VC,DDA, the Planning Deptt., DDA vide letter No. F.3(03)2015-MP/134 dt. 10.03.2015 informed Secretary (Environment), GNCTD that the activities like hazardous waste processing is listed at Sl. No. 46 of the Prohibited / Negative list of Industries annexed with Chapter 7 i.e. Industry of MPD-2021. However, based on the notes quoted under the above list, Secretary GNCTD was requested to provide necessary comments / precise formulation in consultation with CPCB / DPCC for suitable incorporation in MPD-2021.

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1.5A meeting was held under the Chairmanship of Chief Secretary, Delhi on 12/3/2015 in compliance of the directions NGT order dated 26/02/2015 in Original Application No. 305 of 2013 titled, "Balam Singh Rawat vs. GNCTD & Ors." wherein following was decided with reference to the action on part of DDA:

*"as the Master Plan of DDA does not have provisions for TSDF, it was decided that DDA should make provisions in the Master Plan."*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi prescribed in the Chapter 7: Industry, Annexure 7.0 (iii) Prohibited / Negative list of Industries, Chapter 9: Environment and Chapter 14: Physical Infrastructure in Para 14.6 Solid Waste under footnote of Table 14.6 of MPD-2021 which are as follows:

### 2.1 Chapter 7.0: Industry

In the list of Prohibited / Negative list of Industries annexed in Chapter 7 of MPD-2021:

*"Industries manufacturing the following shall be prohibited within National Capital Territory of Delhi. However, Environment Department, GNCTD in consultation with Industries Department, GNCTD shall take the final decisions to ascertain a particular activity / industry / factory to fall under the said list as per the parameters / norms set by the CPCB and adopted by the DPCC."*

Sl. No. 46 of the Prohibited / Negative list:

*'Hazardous waste processing viz. hospital / tertiary health care centre medical / industrial waste'*

Further, it is quoted in the note under the list of Prohibited / Negative list of Industries:

- i. A public utility service involving any of the activities referred to above shall be permitted subject to environmental laws.*
- ii. Further additions / alterations to the list of Prohibited Industries could be made if considered appropriate and in public interest by the Central Government to do so.*
- iii. However, continuity of any type of furnace shall be within set parameters of CPCB & DPCC."*

### 2.2 Chapter 9: Environment

*"A clear approach towards management of 4 types of wastes generated in Delhi, namely Solid Waste, Hazardous Waste, Bio-Medical Waste and Electronic Waste, should be adopted. The approach should take into account the need for adopting the Clean Development Mechanism (CDM) and the awareness of the carbon credits that can be earned and encashed through a planned and organized mechanism, to be developed for this purpose."*

2

### 2.3 Chapter 14: Physical Infrastructure

"The other type of specialised waste includes biomedical waste; hazardous waste from industries; construction debris and fly ash; meat processing centre etc. Disposal of bio-medical waste is to be as per bio-medical waste rules and hazardous waste requires special handling according to hazardous waste handling rules. Proper dumping, recycling and reuse of construction debris and fly ash have to be linked. Meat processing centre waste is to be recycled for chicken feed etc.

Further, some more viable alternatives to landfills are vermiculture, fossilisation, composting etc. Waste Minimisation Circles (WMCs) should be constituted and made effective. Implementation and monitoring & Bio-Medical Wastes (Handling & Management) Rules, 1998, for hospitals, tertiary health care centres, nursing homes, and clinics should be taken up. The sites, which are filled up or are in operation, are given in Table 14.7. The filled up sites may be reused for plantation or as recreational area. The proposed sites for sanitary landfill and compost plants are to be finalised by the MCD."

### 3.0 Proposal:

In view of the decision taken in a meeting held under chairmanship of Chief Secretary, GNCTD referred in para 1.5 above, the following modification in MPD-2021 is proposed to be processed under Section 11-A of DD Act, 1957 for issuing the public notice inviting objections / suggestions from public:

MPD 2021	
Chapter 7.0-Industry	
Annexure III: Prohibited / Negative List of Industries	
Existing Provisions	Proposed Modifications
46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste	46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste. (However, modern hazardous waste processing plant with latest technology shall be permitted subject to all clearances including environmental clearances from concerned agencies. These will be dependent strictly on the need of the NCT of Delhi.)

4.0 The proposal as contained in para 3.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act.1957.

### DECISION

48/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi.	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg) MP&DC
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278 ✓ ITEM NO. 47/TC/2015

- 5 -

# Minutes of the Technical Committee Meeting Held on 21.10.2015.

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Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing

File No. F.20(20)2014/MP

## 1.0 Background

- a) MCD with prior approval of Hon'ble LG of Delhi, vide Circular No. CCIB/2011/D-79 dated 27.4.11 decided to make the provisions of stilt parking mandatory for the Residential Plot measuring 100sqm. and above.
- b) The matter was challenged in the Hon'ble High Court of Delhi as a part of court matter titled P. K. Chatterjee V/s Union of India and Ors. W.P.(C) 4598/2010 and CM Nos.2391/2013, 10246/2013, 12768/2013 and 1399.2014. Based on the various meetings, on the subject, Ministry of Urban Development, MCD and DDA submitted their affidavits in the Hon'ble High Court of Delhi. The formulation for provision of stilt parking in residential plots, as contained in the affidavits of MoUD and DDA, was as under:
- Stilt floor for parking need not be provided in plot sizes upto 100 sq.m.
  - For plot sizes from 100 sq.m. upto 500 sq.m. stilt floor shall be mandatory to be used for parking of vehicles for more than 2 dwelling units.
  - For plot sizes of 500 sq.m. and upto 1000 sq m., stilt floor shall be mandatory where the number of dwelling units is more than 4.
  - In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site /sites for construction of multi storied car parks catering to the requirement of parking.
  - Parking lots may be developed under recreational areas subject to requisite clearance from the Department of Environment, GNCTD and using appropriate design and technology options to ensure that rainwater is harvested optimally and used for re-charging ground water aquifers.
- c) The matter was disposed off by the Hon'ble High Court of Delhi vide the following orders dt. 29.05.2014:
- "We have heard the learned counsel for the parties at length. The question is with regard to the Circular dated 27.04.2011 which was issued by the Chief Engineer (Building), MCD. Earlier we had passed an order on 26.02.2013 whereby we had directed that the said Circular should not*

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*be either withdrawn or modified without the permission of this court. Now the Union of India has mooted a proposal which would necessarily mean modification of the said Circular dated 27.04.2011. The learned counsel for the DDA as well as the learned counsel for the South Delhi Municipal Corporation as well as the New Delhi Municipal Council have also been heard. They have stated that any modification that would be made to the Circular of 27.04.2011 would have to be done after following the due process of law. Ultimately, an order will have to be passed by the competent authority / authorities. We are not giving our views either way on the proposal. It is for the appropriate authorities and ultimately for the competent authorities to consider the same and to pass appropriate order in accordance with law. All that we are permitting is that the proposal for modification be carried through the process of consideration and ultimate decision on the same. The impediment which we had raised by virtue of our order dated 26.02.2013 on considering any modification, is now erased in the above terms.*

*Till a final decision is taken by the competent authority, the Circular dated 27.04.2011 shall continue to operate. If the petitioners are aggrieved by the ultimate decision that would be taken by the competent authority they would be at liberty to file a fresh petition. The learned counsel appearing on the side of the respondents have also stated that the process of modification would be taken up expeditiously. "*

- d) As a follow-up action on the Court order, a meeting was convened by the VC, DDA with the officers of Municipal Corporation of Delhi & DDA wherein a considered view emerged that in view of the provisions for handicaps and single family residing on a single plot, DDA may take up the following proposal for modifications in MPD-2021 as per DD Act, 1957 w.r.t. Stilt and parking provisions in para 4.4.3A. Residential Plot-Plotted Housing as under:

vii. Stilts:

- i) Stilt parking should not be mandatory on plots upto 200sq.mt.
- ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory.
- iii) For all plots, other than as provided in i. & ii. Above, provisions of stilt parking may be mandatory.

viii. Parking: Parking space shall be provided for within the residential plot as follows:

- a. 2 equivalent car space (ECS) in plot of size 250-300 sq.m.
- b. 1 ECS for every 100sq.m. built-up area, in plots exceeding 300 sq.m. provided that, if the permissible coverage and FAR is not achieved with the above -mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.

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In addition to above existing paras a. & b. the following para c. to be added:

c. In respect of plotted development up to 100sq.m. , the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.

(e) During the course of meeting, South Delhi Municipal Corporation (SDMC) also has submitted a brief proposal as under:

*"a fresh proposal linking number of floors co-relating the same within the adequacy of parking provision as per Master Plan -2021 be mooted, which implies that if the proposal is for construction of ground floor and first floor (with or without basement), stilt provision should not be insisted upon, as parking / ECS requirement will be lesser, as compared to the proposals from ground floor to third floor requiring fulfillment of parking / ECS requirement".*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for Stilt Parking, for different plot sizes, are governed by the development control norms prescribed in the Chapter 4: Shelter under clause 4.4.3 i.e. Control for Building / Buildings within Residential Premises of MPD-2021 which are as follows:

### A. Residential Plot – Plotted Housing

vii. **Stilts:** If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.

viii. **Parking:** Parking space shall be provided for within the residential plot as follows:

- a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m.
- b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.

## 3.0 Decision of Technical Committee

The matter was discussed in the Technical Committee in its meeting held on 22.01.2015 vide Item No. 04/2015. The decision of the Technical Committee are as under:

*"It was suggested that Toilets may be permitted in the stilt as it is being permitted in many other cities, Addl. Commissioner (TB & C), DDA informed*



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the provision of Toilet on the stilt floor is being considered in Building Bye-laws under revision.

After detailed deliberation Technical Committee recommended the proposal as given in Para 3 of the Agenda for further processing to the Authority for modification to the MPD-2021 under section 11A of DD Act, 1957."

#### 4.0 Follow-up action:

Based on the recommendations of Technical Committee, the draft agenda for the Authority meeting was put up for approval of Hon'ble Lt. Governor, Delhi and in note on file Hon'ble Lt. Governor, Delhi observed the following:

- "1. When AC(TB&C), DDA informed that the provision of toilet on the stilt floor is being considered in the building bye-laws under revision, then how could the Technical Committee recommended the proposal for further processing to the Authority.
2. Before this matter is put up to the Authority for decision, a meeting should be convened at Raj Niwas to be attended by the officials of MCD, DDA and Director, Fire Service."

With respect to above observations of Hon'ble Lt. Governor, the matter was further discussed among the Senior officers of DDA and it was opined to modify the proposed modifications as under:

Chapter 4.0: Shelter		
Para4.4.3 Control for Building / Buildings within Residential Premises		
A. Residential plot-Plotted Housing		
Existing Provisions	Proposal approved in Technical Committee meeting on 22.01.2015 vide Item No. 04/2015.	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	vii. Stilts: i) Stilt parking should not be mandatory on plots upto 200sq.mt. ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory. iii) For all plots, other	vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. In the area under stilt which can not be utilized for parking, provision of toilet is permissible. Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be

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(not having clear height)



building.	iii) For all plots, other than as provided in i. & ii. above, provisions of still parking may be mandatory.	story, still parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. <b>Parking:</b> Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.	viii. <b>Parking:</b> Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

#### 5.0 Proposal:

Based on the examination and observation of Hon'ble L.G., Delhi, the following modification are proposed to be made in MPD-2021 under Section-11A of DD Act, 1957.

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274/c

Chapter 4.0: Shelter

Para4.4.3 Control for Building / Buildings within Residential Premises  
A. Residential plot-Plotted Housing

Existing Provisions	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. In the area under stilt which can not be utilized for parking, provision of toilet is permissible. Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above - mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION  
**APPROVED**  
The Proposal is Considered in  
Meeting No. 9th  
Date: 21.10.2015  
Vide Item: 4.7/2015  
Sd/- 26/10/2015  
Asstt. Director

6.0 The proposal as contained in para 5.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act.1957.

**"DECISION"**

47/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot - Plotted Housing	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, Technical Committee observed that the provisions of parking are area specific and need to be addressed by the respective municipal corporations of Delhi for the areas under their jurisdiction within the framework of Master Plan provisions for parking. As such no master Plan modification is warranted as proposed in the agenda item.	- Action: Director (Plg) MP&DC
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# DELHI DEVELOPMENT AUTHORITY

MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (10) 2015/MP/ 337

Date: 23.10.2015

**Subject: Minutes of the 9<sup>th</sup> Technical Committee held on 21.10.2015**

The 9<sup>th</sup> meeting of Technical Committee was held under the Chairmanship of V.C., DDA on 21.10.2015. The List of the participants is annexed at 'Annexure- A'. Please find enclosed herewith a copy of the minutes for further necessary action.

Encl.: As above

(S.B. Khodankar)

Director (Plg.) MP&DC

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. ✓ Finance Member, DDA 26/10/15
4. ✓ Commissioner (Plg), DDA
5. ✓ Commissioner (LD), DDA 26/10/15
6. ✓ Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) MP&MPR, DDA
14. Addl. Commr.(Plg.) TB&C, DDA
15. Addl. Commr.(Plg.) AP, DDA
16. Addl. Commr.(Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC, NDMC, EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

Agenda Item No.	Issue	Discussion/ Recommendations	Remarks
46/2015	Confirmation of minutes of the 8th Technical Committee meeting held on 31.08.2015	Chief Fire Officer observed w.r.t. the Item No. 45/2015 that the provision to exempt all the staircases from FAR should be for all the use premises and enabling provision for the same may be made in the relevant chapters of Master Plan. Rest of the items were confirmed.	
47/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, Technical Committee observed that the provisions of parking are area specific and need to be addressed by the respective municipal corporations of Delhi for the areas under their jurisdiction within the framework of Master Plan provisions for parking. As such no master Plan modification is warranted as proposed in the agenda item.	- Action: Director (Plg) MP&DC
48/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi.	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg) MP&DC
49/2015	Proposed change of Landuse of an area measuring 1.12 Ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' in Zone D.	The proposal was presented by Asstt. Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg.) Zone-D



50/2015	Proposed Sports Complex in Sector-33 (Phase- IV & V) previous Sector-23 (Phase III)	The proposal was presented by Director (Plg) Rohini. After detailed deliberation, the item was withdrawn with observation that such modifications to the Master Plan should cover all the sport complexes as a common agenda. Accordingly, a fresh item may be put up before Technical Committee in its meeting.	-Action: Director (Plg) Rohini
51/2015	Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding category in Residential Plot – Plotted Housing.	<p>The proposal was presented by Dy.Director (Plg) MP&amp;DC. During the meeting, the following issues were deliberated:</p> <ul style="list-style-type: none"> <li>As per MPD-2021, under Para 4.4.3 A. related to the development control norms of Residential Plot-Plotted Housing in its sub-para pt.(x) (a) wherein minimum setbacks are prescribed, provides that "In case the permissible coverage is not achieved with the prescribed setbacks in a plot, the setbacks of the preceding category may be allowed". There is no provision for permitting setbacks of preceding to preceding category in Residential Plot-Plotted Housing in MPD-2021.</li> <li>In case of property No. M-17, Green Park, the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 gave the benefit of ground coverage of preceding to preceding category by way of relaxation of set-backs which was not as per the Master Plan provisions and as such was not within the jurisdiction of the Technical Committee.</li> <li>Further, it is observed that the Ground Coverage of 75% is the maximum limit and not the minimum which may vary according to shape of the plot.</li> </ul> <p>Hence, the decision taken by the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 in case of property No. M-17, Green Park is void ab -initio and therefore, stands withdrawn.</p>	Action- Director (Plg) MP&DC

List of participants of 9<sup>th</sup> meeting for the year 2015 of Technical Committee on 21.10.2015

**DELHI DEVELOPMENT AUTHORITY**

1. ✓ Vice Chairman, DDA 26/10/15
2. ✓ Engineer Member, DDA 26/10/15
3. Commissioner (Plg), DDA 26/10/15
4. Chief Architect, HUPW/DDA 26/10/15
5. ✓ Chief Legal Advisor, DDA 26/10/15
6. Addl. Commissioner (Landscape), DDA 26/10/15
7. ✓ Director (plg.) VC Sectt. 26/10/15
8. Director (Plg) MP, DDA 26/10/15
9. Director (Plg.) Zone C&G 26/10/15
10. Director (Plg.) (LP/NP/Rohini) 26/10/15
11. ✓ Dy. Director (Plg.) Rohini 26/10/15

**OTHER ORGANIZATION**

1. ✓ Sh. Rajeev Sood, Chief. Architect, NDMC
2. ✓ Ms. Ritu Kapila, Architect, CPWD
3. ✓ Sh. Shamsher Singh, CTP, SDMC/NDMC
4. ✓ Sh. Sudhir Mehta, Ex.En.(Bldg), SDMC
5. ✓ Sh. Devesh Chand, A.E./L & D.O.
6. ✓ Sh. S.K. Maggu, A.E., L&D.O.
7. ✓ Sh. Sushil Kumar, Architect, NDMC
8. ✓ Virendra Kumar AE, CPWD
9. ✓ Sh. Niyam Pal Singh, ACP, (Delhi Traffic Police)
10. ✓ Sh. A.K. Sharma, Director, DFS
11. ✓ Sh. G.C. Mishra, CFO, DFS 26/10/15





## DELHI DEVELOPMENT AUTHORITY

MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

**F.1 (10) 2015/MP/**

**Date: 21.10.2015**

**Subject: Minutes of the 9<sup>th</sup> Technical Committee held on 21.10.2015**

The 9<sup>th</sup> meeting of Technical Committee was held under the Chairmanship of V.C., DDA on 21.10.2015. The List of the participants is annexed at 'Annexure- A'. Please find enclosed herewith a copy of the minutes for further necessary action.

Encl.: As above

(S.B. Khodankar)  
**Director (Plg.) MP&DC**

**To:**

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) MP&MPR, DDA
14. Addl. Commr.(Plg.) TB&C, DDA
15. Addl. Commr.(Plg.) AP, DDA
16. Addl. Commr.(Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC, NDMC, EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

List of participants of 09<sup>th</sup> meeting for the year 2015 of Technical Committee on 21.10.2015

**DELHI DEVELOPMENT AUTHORITY**

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Commissioner (Plg), DDA
4. Chief Architect, HUPW/DDA
5. Chief Legal Advisor, DDA
6. Addl. Commissioner (Landscape), DDA
7. Director (plg.)VC Sectt.
8. Director (Plg) MP, DDA
9. Director(Plg.) Zone C&G
10. Director(Plg.) (LP/NP/Rohini)
11. Dy. Director (Plg.)Rohini

**OTHER ORGANIZATION**

1. Sh. Rajeev Sood, Chief. Architect, NDMC
2. Ms. Ritu Kapila, Architect, CPWD
3. Sh. Shamsher Singh, CTP, SDMC/NDMC
4. Sh. Sudhir Mehta, Ex.En.(Bldg),SDMC
5. Sh. Devesh Chand, A.E./L & D.O
6. Sh. S.K.Maggu, A.E.,L&D.O.
7. Sh. Sushil Kumar, Architect, NDMC
8. Virendra Kumar AE, CPWD
9. Sh. Niyam Pal Singh, ACP,(Delhi Traffic Police)
10. Sh.A.K.Sharma, Director, DFS
11. Sh. G.C.Mishra, CFO, DFS



Agenda Item No.	Issue	Discussion/ Recommendations	Remarks
46/2015	Confirmation of minutes of the 8th Technical Committee meeting held on 31.08.2015	Chief Fire Officer observed w.r.t. the Item No. 45/2015 that the provision to exempt all the staircases from FAR should be for all the use premises and enabling provision for the same may be made in the relevant chapters of Master Plan. Rest of the items were confirmed.	
47/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, Technical Committee observed that the provisions of parking are area specific and need to be addressed by the respective municipal corporations of Delhi for the areas under their jurisdiction within the framework of Master Plan provisions for parking. As such no master Plan modification is warranted as proposed in the agenda item.	- Action: Director (Plg) MP&DC
48/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi.	The proposal was presented by Dy. Director (Plg) MP&DC. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg) MP&DC
49/2015	Proposed change of Landuse of an area measuring 1.12 Ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' in Zone D.	The proposal was presented by Asstt. Director (Plg) Zone 'D. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.	- Action: Director (Plg.) Zone-D

50/2015	Proposed Sports Complex in Sector-33 (Phase- IV & V) previous Sector-23 (Phase III)	The proposal was presented by Director (Plg) Rohini. After detailed deliberation, the item was withdrawn with observation that such modifications to the Master Plan should cover all the sport complexes as a common agenda. Accordingly, a fresh item may be put up before Technical Committee in its meeting.	-Action: Director (Plg) Rohini
51/2015	Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding category in Residential Plot – Plotted Housing.	<p>The proposal was presented by Dy.Director (Plg) MP&amp;DC. During the meeting, the following issues were deliberated:</p> <ul style="list-style-type: none"> <li>• As per MPD-2021, under Para 4.4.3 A. related to the development control norms of Residential Plot-Plotted Housing in its sub para, pt.(x) (a) wherein minimum setbacks are prescribed, provides that <b>“In case the permissible coverage is not achieved with the prescribed setbacks in a plot, the setbacks of the preceding category may be allowed”</b>. There is no provision for permitting setbacks of preceding to preceding category in Residential Plot-Plotted Housing in MPD-2021.</li> <li>• In case of property No. M-17, Green Park, the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 gave the benefit of ground coverage of preceding to preceding category by way of relaxation of set-backs which was not as per the Master Plan provisions and as such was not within the jurisdiction of the Technical Committee.</li> <li>• Further, it is observed that the Ground Coverage of 75% is the maximum limit and not the minimum which may vary according to the shape of the plot.</li> </ul> <p>Hence, the decision taken by the Technical Committee vide Item No. 20/2011 dt. 11.08.2011 in case of property No. M-17, Green Park is void ab -initio and therefore, stands withdrawn.</p>	Action- Director (Plg) MP&DC



**DELHI DEVELOPMENT AUTHORITY**  
MASTER PLAN SECTION  
6<sup>th</sup> FLOOR, VIKAS MINAR  
I.P Estate, New Delhi – 110002  
Phone No. 23370507

F.1 (10)/2015/MP/336

Date 20.10.2015

**MEETING NOTICE**

The 9<sup>th</sup> Technical Committee meeting of DDA for the year 2015 which was scheduled to be held on 20.10.2015 at 5.00 P.M under the Chairmanship of Vice Chairman, DDA in the Conference Hall at B-Block, 1st Floor, Vikas Sadan, INA, New Delhi 110023 is now postponed and rescheduled for 21.10.2015 Wednesday at 03.30 PM.

It is requested to make it convenient to attend the meeting.



(S.B. Khodankar)  
Director (MP&DC)

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW, DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) MPR & DC, DDA
14. Addl. Commr.(Plg.) TB & C, DDA
15. Addl. Commr.(Plg.) AP, DDA
16. Addl. Commr.(Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC/ NDMC/ EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

**Special Invitees**

1. C.L.A, DDA
2. S.E. Building Head Quarter MCD (SDMC)

For item No.  
51/2015  
47/2015

**DELHI DEVELOPMENT AUTHORITY**  
MASTER PLAN SECTION  
6<sup>th</sup> FLOOR, VIKAS MINAR  
I.P Estate, New Delhi – 110002  
Phone No. 23370507

**F.1 (10)/2015/MP/332**

**Date 19.10.2015**

**MEETING NOTICE**

The 9<sup>th</sup> Technical Committee meeting of DDA for the year 2015 will be held under the Chairmanship of Vice Chairman, DDA on Tuesday 20.10.2015 at 05.00 PM in the Conference Hall at B-Block, 1<sup>st</sup> Floor, Vikas Sadan, INA, New Delhi 110023.

It is requested to make it convenient to attend the meeting.



(S.B. Khodankar)  
Director (MP&DC)

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW, DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) MPR & DC, DDA
14. Addl. Commr.(Plg.) TB & C, DDA
15. Addl. Commr.(Plg.) AP, DDA
16. Addl. Commr.(Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC/ NDMC/ EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

**Special Invitees**

1. C.L.A, DDA
2. S.E. Building Head Quarter MCD (SDMC)

**For item No.**

47/2015



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**9<sup>th</sup> Technical Committee Meeting to be held on 20.10.2015**

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ITEM 140.46/14/2015

DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (08) 2015/MP/ 278

Date: 01.09.2015

Subject: Minutes of the 8<sup>th</sup> Technical Committee held on 31.08.2015

The 8<sup>th</sup> meeting of Technical Committee was held under the Chairmanship of V.C., DDA on 31.08.2015. The List of the participants is annexed at 'Annexure- A'.

At the outset, members welcomed the Vice Chairman, DDA for chairing the first meeting of the Technical Committee after assuming charge.

Item No. 40/2015

Confirmation of Minutes:

Since no observations/ comments were received, the minutes of the 7<sup>th</sup> Technical Committee meeting held on 24.07.2015 were confirmed as circulated.

Addl. Commissioner (Plg.) TB & C informed regarding the modifications required in the minutes w.r.t. the Item no. 02/2015, sub-para (i) discussed in the 1<sup>st</sup> Technical Committee meeting held on 22.01.2015. It was informed that in the decision in the above minutes w.r.t. the item no. 02/2015 Sector-1 to 19 Rohini was inadvertently mentioned as Sector-1 to 9 Rohini. As this item already stands approved by the Authority in respect of Sector 1 to 19 Rohini, it was decided that the sub-para (i) of item no. 02/2015 may be read as under:

*"(i) Building activity of the development area No. 148 consisting Sector-1 to 19 Rohini (excluding the already de-notified area) be transferred to concerned Municipal Corporation."*

F.1 (07) 2015/MP

Item No. 41/2015

Proposed change of land use of an area measuring 809sq.m.allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket-V, DDU Marg from 'Residential (Nursery School)' to 'Public & Semi -Public facilities', falling in Planning Zone- D.

F.20 (02)/2015/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'

Item No. 42/2015

Proposed change of land use in respect of the area measuring 1.40 ha.(3.462 acres) from 'Residential' to 'Government Office 'Proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi , falling in Planning Zone- D.

F.3(68)/2008/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'



Item No. 43/2015

Change of land use of site measuring 3.74 ha (9.25 acres) from "Residential "land use and "Public and Semi Public Facilities" (PS.I) to Utility" (U-4) for Solid Waste Management facility located at Maidangarhi, near IGNOU Camus.  
F.3 (12)2014/MP

The proposal was presented by Director (Plg) Zone 'J'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg.) Zone 'J'

Item No. 44/2015

Delineation of NCZ as proposed in Revised draft Regional Plan-2021 pertaining to National Capital Territory of Delhi.

Regarding sites falling in Zone K-II Dwarka

F.15 (10)2015-MP

The proposal was withdrawn by Addl. Commissioner (Plg) UE & LP.

-Action: Director (Plg.) Dwarka

Item No. 45/2015

Proposed modifications in MPD-2021 regarding the area under waiting/ reception in the hospitals.  
F.13 (02)/2013-MP


The proposal was presented by Director (Plg) MP& DC. After detailed deliberation and incorporating the views of the Fire Deptt., GNCTD received vide letter no. F-6/DFS/MS/2015/2015 dt. 01.09.2015, the proposal as contained in the agenda as given below in column 4 was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957:

MPD - 2021			
1	2	3	4
Existing Provisions	Modifications approved in the T. C. Meeting held on 05.06.2015	Proposed Modifications	Amended Proposal
Table 13.2: Other Controls	Table 13.2: Other Controls	Table 13.2: Other Controls	Table 13.2: Other Controls
5. Common areas such as waiting halls, reception and fire stair cases shall be allowed free from FAR.	5. Fire stair cases shall be allowed free from FAR and maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area.	5. Fire stair cases shall not be counted in FAR and maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. In case it is used for activity other than waiting and reception area, the same shall be counted in FAR.	5. Maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. However, this area shall be taken into account for the provision of hospital parking as per norms.

-Action: Director (Plg) MP

Officers of Fire Department, GNCTD telephonically regretted their absence during the meeting due to some other important appointments. It was decided that their views may be obtained before circulation of the minutes.

The meeting ended with thanks to the Chair.

  
(S.B. Khodankar)  
Director (Plg.) MP&DC

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) MP&MPR, DDA
14. Addl. Commr.(Plg.) TB&C, DDA
15. Addl. Commr.(Plg.) AP, DDA
16. Addl. Commr.(Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC, NDMC, EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD



List of participants of 08<sup>th</sup> meeting for the year 2015 of Technical Committee on 31.08.2015

**DELHI DEVELOPMENT AUTHORITY**

1. Vice Chairr .., DDA
2. Engineer Member, DDA
3. Commissioner (Plg), DDA
4. Chief Architect, HUPW/DDA
5. Addl. Commissioner (Plg) TB&C, DDA
6. Addl. Commissioner (Landscape), DDA
7. Addl. Commissioner (Plg)AP, DDA
8. Addl. Commissioner (Plg.) UE&LP, DDA
9. Director (Plg) MP, DDA
10. Director(Plg.) Zone D
11. Director(Plg.) Zone J
12. Director(Plg.) GIS & Zone E&O
13. Dy. Director (Plg.) MPR
14. Dy. Director (Plg.) Dwarka

**OTHER ORGANIZATION**

1. Sh. A.M. Athale, Chief. Architect, NDMC
2. Sh. Mukesh Bajpai, Sr. Architect, MoHFW, GoI
3. Rajiv Kanaujia, Sr. Architect, CDB, MoHFW, GoI
4. Ms. Ritu Kapila, Architect, CPWD
5. Sh. Ashutosh Kumar Sahu, Architect, CPWD
6. Sh. Jugal Ahmed, Consultant, SDMC
7. Arunesh Upadhyay, SE(DEMS), SDMC
8. Sh. Devesh Chand, B.O/L & D.O
9. Sh. Sushil Kumar, Architect, NDMC
10. Virendra KUMAR, AE, CPWD
11. Sh. Rakesh Bhatia, ACP, Delhi Traffic Police

Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing

File No. F.20(20)2014/MP

### 1.0 Background

- a) MCD with prior approval of Hon'ble LG of Delhi, vide Circular No. CCIB/2011/D-79 dated 27.4.11 decided to make the provisions of stilt parking mandatory for the Residential Plot measuring 100sqm. and above.
- b) The matter was challenged in the Hon'ble High Court of Delhi as a part of court matter titled P. K. Chatterjee V/s Union of India and Ors. W.P.(C) 4598/2010 and CM Nos.2391/2013, 10246/2013, 12768/2013 and 1399.2014. Based on the various meetings, on the subject, Ministry of Urban Development, MCD and DDA submitted their affidavits in the Hon'ble High Court of Delhi. The formulation for provision of stilt parking in residential plots, as contained in the affidavits of MoUD and DDA, was as under:
  - Stilt floor for parking need not be provided in plot sizes upto 100 sq.m.
  - For plot sizes from 100 sq.m. upto 500 sq.m. stilt floor shall be mandatory to be used for parking of vehicles for more than 2 dwelling units.
  - For plot sizes of 500 sq.m. and upto 1000 sq m., stilt floor shall be mandatory where the number of dwelling units is more than 4.
  - In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site /sites for construction of multi storied car parks catering to the requirement of parking.
  - Parking lots may be developed under recreational areas subject to requisite clearance from the Department of Environment, GNCTD and using appropriate design and technology options to ensure that rainwater is harvested optimally and used for re-charging ground water aquifers.
- c) The matter was disposed off by the Hon'ble High Court of Delhi vide the following orders dt. 29.05.2014:

*"We have heard the learned counsel for the parties at length. The question is with regard to the Circular dated 27.04.2011 which was issued by the Chief Engineer (Building), MCD. Earlier we had passed an order on 26.02.2013 whereby we had directed that the said Circular should not*

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- 6 -

be either withdrawn or modified without the permission of this court. Now the Union of India has mooted a proposal which would necessarily mean modification of the said Circular dated 27.04.2011. The learned counsel for the DDA as well as the learned counsel for the South Delhi Municipal Corporation as well as the New Delhi Municipal Council have also been heard. They have stated that any modification that would be made to the Circular of 27.04.2011 would have to be done after following the due process of law. Ultimately, an order will have to be passed by the competent authority / authorities. We are not giving our views either way on the proposal. It is for the appropriate authorities and ultimately for the competent authorities to consider the same and to pass appropriate order in accordance with law. All that we are permitting is that the proposal for modification be carried through the process of consideration and ultimate decision on the same. The impediment which we had raised by virtue of our order dated 26.02.2013 on considering any modification, is now erased in the above terms.

Till a final decision is taken by the competent authority, the Circular dated 27.04.2011 shall continue to operate. If the petitioners are aggrieved by the ultimate decision that would be taken by the competent authority they would be at liberty to file a fresh petition. The learned counsel appearing on the side of the respondents have also stated that the process of modification would be taken up expeditiously. "

- d) As a follow-up action on the Court order, a meeting was convened by the VC,DDA with the officers of Municipal Corporation of Delhi & DDA wherein a considered view emerged that in view of the provisions for handicaps and single family residing on a single plot, DDA may take up the following proposal for modifications in MPD-2021 as per DD Act, 1957 w.r.t. Stilt and parking provisions in para 4.4.3A. Residential Plot-Plotted Housing as under:

vii. Stilts:

- i) Stilt parking should not be mandatory on plots upto 200sq.mt.
- ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory.
- iii) For all plots, other than as provided in i. & ii. Above, provisions of stilt parking may be mandatory.

viii. Parking: Parking space shall be provided for within the residential plot as follows:

- a. 2 equivalent car space (ECS) in plot of size 250-300 sq.m.
- b. 1 ECS for every 100sq.m. built-up area, in plots exceeding 300 sq.m. provided that, if the permissible coverage and FAR is not achieved with the above -mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.

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In addition to above existing paras a. & b. the following para c. to be added:

c. In respect of plotted development up to 100sq.m. , the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.

(e) During the course of meeting, South Delhi Municipal Corporation (SDMC) also has submitted a brief proposal as under:

*"a fresh proposal linking number of floors co-relating the same within the adequacy of parking provision as per Master Plan -2021 be mooted, which implies that if the proposal is for construction of ground floor and first floor (with or without basement), stilt provision should not be insisted upon, as parking / ECS requirement will be lesser, as compared to the proposals from ground floor to third floor requiring fulfillment of parking / ECS requirement".*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for Stilt Parking, for different plot sizes, are governed by the development control norms prescribed in the Chapter 4: Shelter under clause 4.4.3 i.e. Control for Building / Buildings within Residential Premises of MPD-2021 which are as follows:

### A. Residential Plot – Plotted Housing

vii. **Stilts:** If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.

viii. **Parking:** Parking space shall be provided for within the residential plot as follows:

- a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m.
- b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.

## 3.0 Decision of Technical Committee

The matter was discussed in the Technical Committee in its meeting held on 22.01.2015 vide Item No. 04/2015. The decision of the Technical Committee are as under:

*"It was suggested that Toilets may be permitted in the stilt as it is being permitted in many other cities, Addl. Commissioner (TB & C), DDA informed*

the provision of Toilet on the stilt floor is being considered in Building Bye-laws under revision.

After detailed deliberation Technical Committee recommended the proposal as given in Para 3 of the Agenda for further processing to the Authority for modification to the MPD-2021 under section 11A of DD Act, 1957."

#### 4.0 Follow-up action:

Based on the recommendations of Technical Committee, the draft agenda for the Authority meeting was put up for approval of Hon'ble Lt. Governor, Delhi and in note on file Hon'ble Lt. Governor, Delhi observed the following:

- "1. When AC(TB&C), DDA informed that the provision of toilet on the stilt floor is being considered in the building bye-laws under revision, then how could the Technical Committee recommended the proposal for further processing to the Authority.
2. Before this matter is put up to the Authority for decision, a meeting should be convened at Raj Niwas to be attended by the officials of MCD, DDA and Director, Fire Service."

With respect to above observations of Hon'ble Lt. Governor, the matter was further discussed among the Senior officers of DDA and it was opined to modify the proposed modifications as under:

Chapter 4.0: Shelter		
Para4.4.3 Control for Building / Buildings within Residential Premises		
A. Residential plot-Plotted Housing		
Existing Provisions	Proposal approved in Technical Committee meeting on 22.01.2015 vide Item No. 04/2015.	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	vii. Stilts: i) Stilt parking should not be mandatory on plots upto 200sq.mt. ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory. iii) For all plots, other	vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. In the area under stilt which can not be utilized for parking, provision of toilet is permissible. Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be

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building.	iii) For all plots, other than as provided in i. & ii. above, provisions of stilt parking may be mandatory.	story, stilt parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above - mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

#### 5.0 Proposal:

Based on the examination and observation of Hon'ble L.G., Delhi, the following modification are proposed to be made in MPD-2021 under Section-11A of DD Act, 1957.



## Chapter 4.0: Shelter

### Para 4.4.3 Control for Building / Buildings within Residential Premises A. Residential plot-Plotted Housing

Existing Provisions	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. In the area under stilt which can not be utilized for parking, provision of toilet is permissible. Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above - mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

6.0 The proposal as contained in para 5.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act, 1957.

Asstt. Dir. (Plg.)/MP&DC

Dy. Dir. (Plg.)/MP

Director (Plg.)/MP

Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi.

File No. F.20(08)2015/MP

## 1.0 Background

- 1.1 Secretary (Environment) cum-Chairman, Delhi Pollution Control committee (DPCC), GNCTD vide letter No. F12(367)/Env/MoEF CSS/10/881 dt.25.02.2013 addressed to VC,DDA, has requested *"to identified the appropriate sites for development of TSDF (Treatment, Storage & Disposal Facility) for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the public interest at large."*
- 1.2 Subsequently, Secretary (Environment) cum-Chairman, DPCC vide letter dated 04.07.2014 has again requested *"to identify and allot about 50 acres of land at appropriate sites for development of TSDF for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the larger public interest."*
- 1.3 In compliance to the directions of Hon'ble NGT passed vide order dt. 01.10.2014 in Original Application No. 305 of 2013 entitled, "Balam Singh Rawat vs. GNCTD & Ors." a meeting was convened by Secretary (Environment), GNCTD on 03.11.2014 with the Department of Environment of various neighbouring states i.e. Haryana, Uttar Pradesh & Rajasthan to discuss the issue regarding the sharing of existing TSDF sites in their states with Delhi. In the meeting it was observed that:  
*"Since it is important land related matter, the meeting must be chaired by a High Level Officer from Ministry of Environment and Forests, Government of India. Secretary (Environment), Govt. of NCT of Delhi further added that Ministry of Urban Development, Government of India, should direct DDA (the land owning agency in case of Delhi) to earmark and allocate suitable land for setting up of TSDF for Hazardous Waste of Delhi. Joint Advisor (PHE), Ministry of Urban Development, Government of India present in the meeting agreed to it."*
- 1.4 In response to D.O. letter dt. 12.12.2013 of Secretary (Environment) cum-Chairman, DPCC addressed to VC,DDA, the Planning Deptt., DDA vide letter No. F.3(03)2015-MP/134 dt. 10.03.2015 informed Secretary (Environment), GNCTD that the activities like hazardous waste processing is listed at Sl. No. 46 of the Prohibited / Negative list of Industries annexed with Chapter 7 i.e. Industry of MPD-2021. However, based on the notes quoted under the above list, Secretary GNCTD was requested to provide necessary comments / precise formulation in consultation with CPCB / DPCC for suitable incorporation in MPD-2021.



1.5A meeting was held under the Chairmanship of Chief Secretary, Delhi on 12/3/2015 in compliance of the directions NGT order dated 26/02/2015 in Original Application No. 305 of 2013 titled, "Balam Singh Rawat vs. GNCTD & Ors.", wherein following was decided with reference to the action on part of DDA:

*"as the Master Plan of DDA does not have provisions for TSDF, it was decided that DDA should make provisions in the Master Plan."*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi prescribed in the Chapter 7: Industry, Annexure 7.0 (iii) Prohibited / Negative list of Industries, Chapter 9: Environment and Chapter 14: Physical Infrastructure in Para 14.6 Solid Waste under footnote of Table 14.6 of MPD-2021 which are as follows:

### 2.1 Chapter 7.0: Industry

In the list of Prohibited / Negative list of Industries annexed in Chapter 7 of MPD-2021:

*"Industries manufacturing the following shall be prohibited within National Capital Territory of Delhi. However, Environment Department, GNCTD in consultation with Industries Department, GNCTD shall take the final decisions to ascertain a particular activity / industry / factory to fall under the said list as per the parameters / norms set by the CPCB and adopted by the DPCC."*

Sl. No. 46 of the Prohibited / Negative list:

*'Hazardous waste processing viz. hospital / tertiary health care centre medical / industrial waste'*

Further, it is quoted in the note under the list of Prohibited / Negative list of Industries:

- i. A public utility service involving any of the activities referred to above shall be permitted subject to environmental laws.
- ii. Further additions / alterations to the list of Prohibited Industries could be made if considered appropriate and in public interest by the Central Government to do so.
- iii. However, continuity of any type of furnace shall be within set parameters of CPCB & DPCC."

### 2.2 Chapter 9: Environment

*"A clear approach towards management of 4 types of wastes generated in Delhi, namely Solid Waste, Hazardous Waste, Bio-Medical Waste and Electronic Waste, should be adopted. The approach should take into account the need for adopting the Clean Development Mechanism (CDM) and the awareness of the carbon credits that can be earned and encashed through a planned and organized mechanism, to be developed for this purpose."*



## 2.3 Chapter 14: Physical Infrastructure

"The other type of specialised waste includes biomedical waste; hazardous waste from industries; construction debris and fly ash; meat processing centre etc. Disposal of bio-medical waste is to be as per bio-medical waste rules and hazardous waste requires special handling according to hazardous waste handling rules. Proper dumping, recycling and reuse of construction debris and fly ash have to be linked. Meat processing centre waste is to be recycled for chicken feed etc.

Further, some more viable alternatives to landfills are vermiculture, fossilisation, composting etc. Waste Minimisation Circles (WMCs) should be constituted and made effective. Implementation and monitoring & Bio-Medical Wastes (Handling & Management) Rules, 1998, for hospitals, tertiary health care centres, nursing homes, and clinics should be taken up. The sites, which are filled up or are in operation, are given in Table 14.7. The filled up sites may be reused for plantation or as recreational area. The proposed sites for sanitary landfill and compost plants are to be finalised by the MCD."

## 3.0 Proposal:

In view of the decision taken in a meeting held under chairmanship of Chief Secretary, GNCTD referred in para 1.5 above, the following modification in MPD-2021 is proposed to be processed under Section 11-A of DD Act, 1957 for issuing the public notice inviting objections / suggestions from public:

MPD 2021	
Chapter 7.0-Industry	
Annexure III: Prohibited / Negative List of Industries	
Existing Provisions	Proposed Modifications
46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste	46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste. (However, modern hazardous waste processing plant with latest technology shall be permitted subject to all clearances including environmental clearances from concerned agencies. These will be dependent strictly on the need of the NCT of Delhi.)

4.0 The proposal as contained in para 3.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act, 1957.

Asstt. Dir. (Plg.)/MP&DC

Dy. Dir. (Plg.)/MP

Director (Plg.)/MP

Sub: Proposed change of land use of an area measuring 1.12 ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' for the Ministry of New and Renewable, Government of India in Planning, Zone-D.

File No. F.20 (11)2015/MP

## 1.0 BACKGROUND

- 1.1 MoUD, GOI vide letter dated 18.05.2015 forwarded a letter dated 12.05.2015 received from the Ministry of New and Renewable Energy (MNRE), addressed to MoUD, GOI for necessary action regarding allotment of land for the construction of 'Akshay Urja Bhawan' in New Delhi.
- 1.2 Further, MNRE vide letter dated 23.06.2015 enclosing therewith Prime Minister Office reference dated 09.06.2015 requested L&DO, MoUD, GOI that necessary procedure for change of land use from 'Bus Terminal' to 'Government Office' may be initiated and the necessary approval for the change of land use be accorded.
- 1.3 L &DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis.

## 2.0 EXAMINATION

- 2.1 The site under reference falls in Planning, Zone-D and outside the 'Lutyens Bungalow Zone (LBZ)'.
- 2.2 The plot under reference is located opposite CGO Complex, New Delhi and adjacent to the proposed office building of National Investigating Agency.
- 2.3 As per MPD-2021, the land use of the site under reference is 'Residential' & as per approved Zonal Development Plan of Zone 'D' prepared under MPD-2001, the land use of the site under reference is 'Transportation (Bus Terminal)'.
- 2.4 As per L&DO allotment letter dated 12.06.2015, land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis' subject to the terms and conditions that the plot of land so allotted to MNRE for construction of 'Akshay Urja Bhawan' shall be used only for the purpose for which it is allotted and not be further transferred by MNRE.



- 2.5 As per table 8.2 of MPD-2021, the Development Control Norms for the 'Government Office' as per MDP-2021 area are as under:

Category	Ground Coverage	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Activities permitted
Integrated Office Complex	30	200	NR, subject to approval of AAI, Fire Department and other statutory bodies	1.8	Government Offices, Watch And Ward Residence/ Residential Maintenance Staff (Maximum 5% of FAR), Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)

### 3.0 JUSTIFICATION & PUBLIC PURPOSE TO BE MET THROUGH THIS PROPOSED CHANGE OF LAND USE

#### 3.1 Justification & Public Purpose to be met

1. The land has been allotted by Land & Development Office (L & DO) to the Ministry of New and Renewable Energy for the construction of 'Akshay Urja Bhawan'.
2. As per the report received from MNRE, it is mentioned that *MNRE is the nodal Ministry of Govt. of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of Energy to supplement energy requirements of the country. MNRE is having its main office in Block 14 of CGO Complex. Apart from this, due to paucity of space in Block 14, some other branches are functioning from Block 3 and Paryavaran Complex in CGO Complex. The senior officers are sitting in two differently located buildings sometimes; it becomes difficult to interact with them particularly as and when any emergency situation arises.*

*Keeping in view the growing importance of energy sector and the fact that proper working conditions are absolutely necessary for human resource to be more productive, Government is also committed to give thrust to renewable sources of energy in order to reach 120 crore population in the country. Being the nodal Ministry of the Government of India for all matters relating to new and renewable energy, the Ministry is promoting green campuses, green buildings and net zero energy buildings. In order to demonstrate all this, it is important that the building in which MNREs own office is located, has all the features of renewable energy which MNRE is promoting. Therefore, MNRE would like to construct an eco-friendly, energy efficient and net zero building.*



3.2 MOUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information asked by MOUD vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	It is a government land and is with Land & Development Office (L&DO), MoUD, GOI.
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	L&DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land to MNRE for the construction of 'Akshay Urja Bhawan'. On the basis of this, the proposed change of land use of the site under reference has been initiated.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	The site under reference was inspected by Addl. Commr. (Plg.) AP, Director (Plg.) F,H & D-Zone and Asstt. Director (Plg.) Zone -D on 14.10.2015. The report is as under: <ul style="list-style-type: none"> <li>At present, the site is accessible from Jawharlal Nehru Marg having 45 m R/W. The entry to the site is through a 12.0 m wide road.</li> <li>There is a temporary structure of 'Golden Jubilee Hall' of CRPF on one side of the site and on the other side; there are tin sheds and barracks existing on the site and also, a fountain exists at the site.</li> <li>Some part of the site is maintained as green area.</li> </ul>
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	MNRE is the nodal Ministry of Government of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of energy to supplement energy requirements of the country and therefore, it is for larger benefit of the people at large.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	As such, no impact of proposal on the ZDP/ MPD.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	No adverse impact on law and order are anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	It relates to the land owning agency i.e. L&DO.

#### 4.0 Proposal

##### Change of land use:


In view of L & DO letter dated 12.06.2015, the land use in respect of an area measuring 2.76 acres opposite to CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-D, may be changed from 'Residential' to 'Government (Govt. Office)' for the construction of Akshay Urja Bhawan under Section 11A of DD Act, 1957. The boundary description of the same is as follows (Refer location map and detail Survey plan at Annexure 'A'):

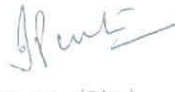
Location	Area	Land use as per MPD-2021/ ZDP	Land use Changed to	Boundaries
1	2	3	4	5
Proposed Akshay Urja Bhawan for the Ministry of New and Renewable Energy, opposite CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-'D'	1.12 ha. (2.76 acres)	As per MPD-2021 - 'Residential'	'Government (Govt. Office)'	North: Dayal Singh College South: 13.5 m wide Road and Pragati Vihar Hostel East: Proposed/ under construction NIA Building West: Lodhi Road Complex and Park
		As per approved Zonal Development Plan of Zone-D prepared under MPD-2001- 'Transportation (Bus terminal)'	'Government (Govt. Office)'	

#### 5.0 Recommendation

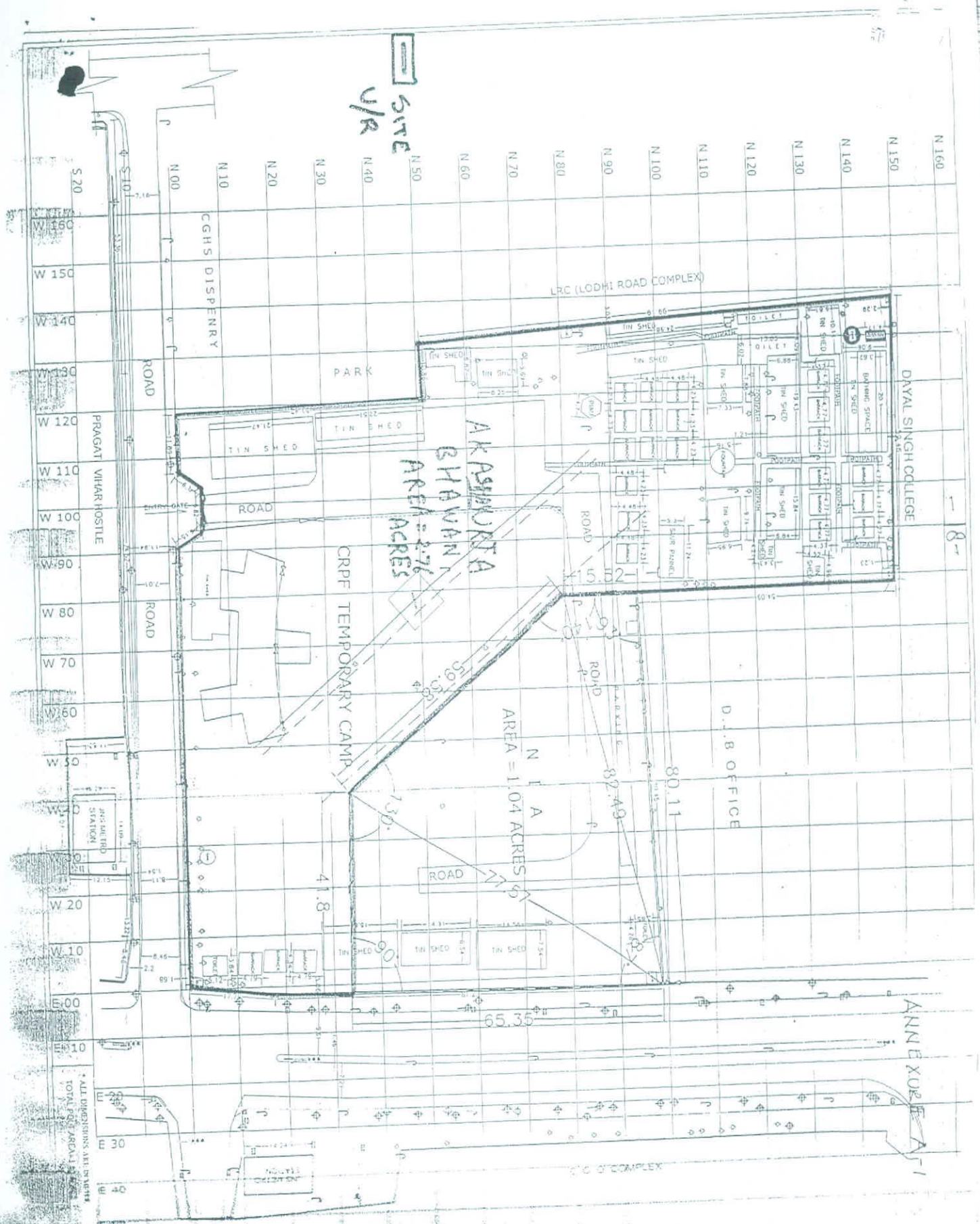
Proposal as given in para 4.0 above may be considered by the Technical Committee so that the proposed change of land may be processed further under Section 11A of DD Act, 1957.

  
 Asstt. Director (Plg.)  
 Zone-D

  
 Dy. Director (Plg.)  
 Zone-D

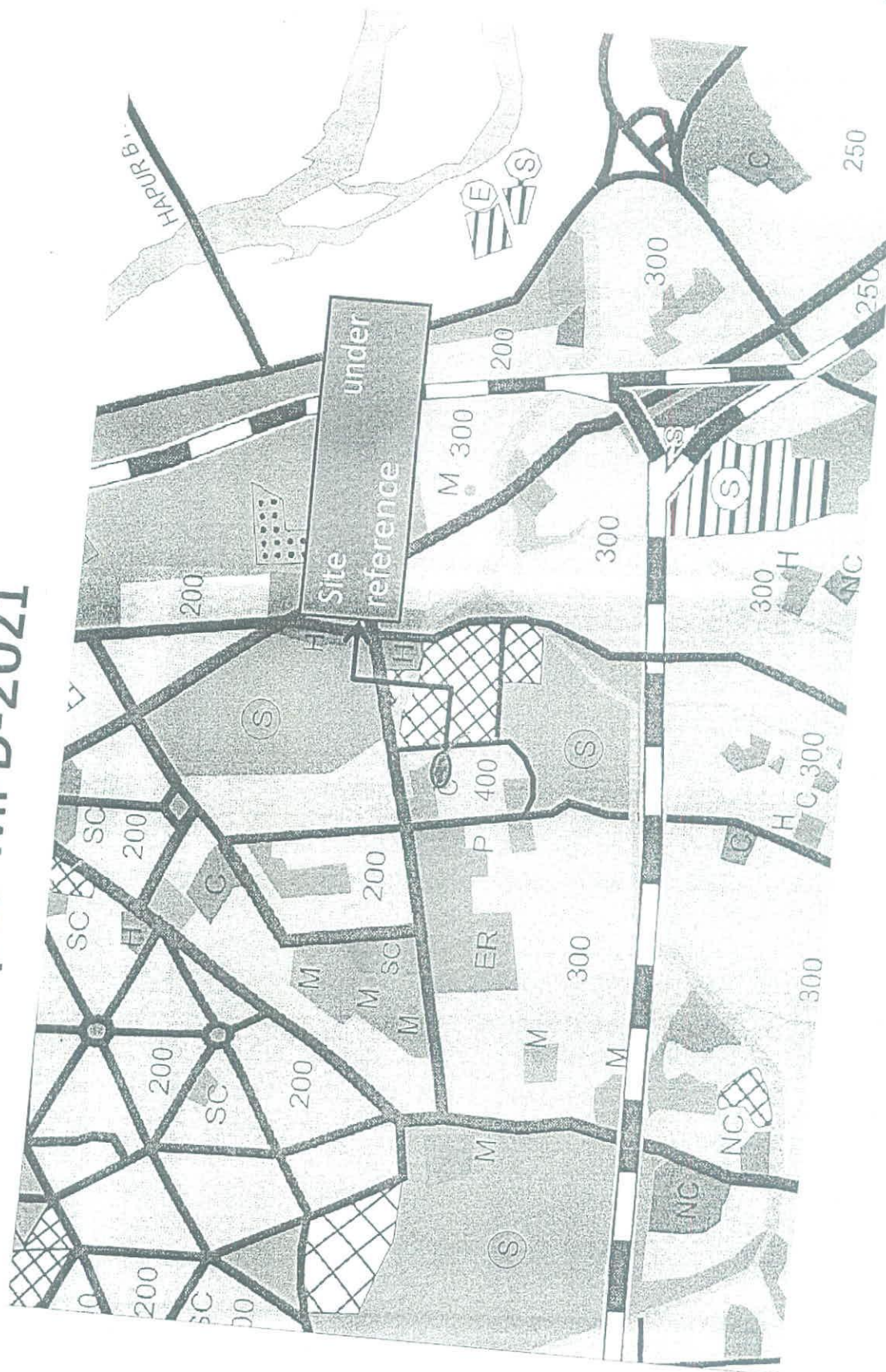
  
 Director (Plg.)  
 Zone-F, H & D







# Location as per MPD-2021



Subject: Proposed Sports Complex in Sector-33 (Ph-Iv & V), previous Sector-23 (Ph-III).

R.20(18)/2015-MP

### 1. BACKGROUND

- I. A request from Confederation of RWAs of Sector-20 to 25 of Rohini has been received, forwarded by Hon'ble Member of Parliament for development of Sports Complex in this area. It has been forwarded by Raj Niwas.
- II. As per approved composite plan of sector-20 to 25, Rohini (Ph-III) the site under reference has been earmarked for Recreational purpose.
- III. The plan prepared by Landscape unit was approved in 231<sup>st</sup> Screening Committee held on 15.03.2004 vide item no. 33:2004 with the direction that "No construction shall be carried out in the Sport center only open field and jogging track shall be developed".
- IV. The Sports Complex plan approved on 15.03.2004 facilities such as open field/ courts for various sports, Swimming Pool, Multi Gym etc.
- V. As per the Scheme for Rohini Phase-IV and V, the area under reference has been re-designated as part of Sector-33, Rohini.

### 2. MPD-2021 PROVISIONS.

- i. The land use as per MPD 2021 and notified ZDP of Zone-M is 'Recreational' where only Sports Activity, Play Ground, Amenity Structures are permitted.
- ii. As per MPD-2021 the Sports facilities are categorized under Chapter-13, Social Infrastructure. As per MPD-2021, Sports Facilities/ Complex/Stadium / Sports Centre are categorized under land use "Public and Semi-public Facilities".
- iii. The proposed Sports facility will be covered under District Sports Centre catering for a population of 5 lakhs and above. Development Control Norms as per para 13.3.3 are reproduced below.

Maximum ground coverage	20% including amenity structures
Max. FAR	40
Height	NR (Subject to clearance from AAI, Fire Dept. and other statutory bodies).
Parking	2 ECS/ 100 sqm of floor area.

### 3. EXAMINATION

- I. Total Station survey has been provided by Engineering Wing for the area under reference, green belt etc. measuring about 21.62 ha. This has been forwarded by Dy. Dir. (Arch.)-II vide letter No. F1(01)09/SA(R&N)/HUPW/DDA/39 dated 24.02.2015.
- II. The site is parallel to 80 m wide Urban Extension Road-III. ZDP for Zone-M has proposed two roads (30 and 40 m wide) for connecting proposed development in sector-33. This has been demarcated in Total Station survey. The area available for development of proposed District Sports Complex is 8.90 ha. The layout plan is enclosed as Annexure-I.
- III. In view of above this will require processing of modification in the land use of MPD-2021 and ZDP for Zone-M under Section-11-A of DDA Act 1957.



#### 4. STATUS REPORT

The information based on the format provide by MoUD vide letter dated 07.04.2015 is given below:

Sl.No		Status
I.	Whether the land is government or private and who is the land owning agency?	Land acquired and possession with DDA for planned development of Rohini Ph.-III, IV & V. Land is available and with Engineering Wing DDA.
II.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	A request from RWA's has been received for development of Sports Complex in this area. At present DDAs Sport Complex is located opposite Sector-IX. As per ZDP for Zone-M, Sports Facility has been proposed in Sector-34 which is located at distance of about 5-6 km & is yet to be developed.
III.	Whether a responsible office from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Total Station Survey has been provided by the Engineering Wing. The site has been inspected by Dy. Director(Plg.), Dy. Director (Survey) of Rohini Project. The site is without any development.
IV.	What is the public purpose proposed to be served by modification of MPD and/or change of land use?	This facility will cater to the population residing in Sectors-20 to 25 and population of Sector-32, 36, 37, 38 where the plots have been allotted recently.
V.	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal is within the provision of MPD-2021. The FAR & Ground coverage for Sports facility is comparatively low and will also provide for large open spaces & landscape areas with tree plantation.
VI.	What will be proposal's impact/implications on general public e.g. Law & order etc.?	This will be additional facility for the general public & will not have any impact on Law & order.
VII.	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	The scheme for this area has been prepared in 2004 and Total Station Survey has been provided by the Engineering Wing in 2014. No court case/ownership dispute has been reported.

#### 5. PROPOSAL

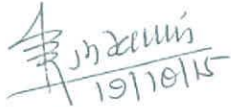
The following modifications is proposed in Master Plan for Delhi-2021 & Zonal Development plan for Zone-M under Section-11-A of DDA Act 1957.

Location	Area (in Ha.)	Landuse (as per MPD-2021 & ZDP of Zone-M)	Proposed Landuse	Boundaries
Sector-33 Rohini, Ph-IV.		Recreational	Public & Semi Public Facilities. (PS3) Sports Facilities/ Complex/ Stadium/ Sports Centre	North- Sector-32, Rohini. East- 30.0 m. wide green belt, and 80.0 m wide road R/W(UER-III) South- Under Ground Reservoir (existing) West- Sector-33, Rohini.

Based on the consideration & recommendation of Technical Committee, the proposal will be placed before the Authority for processing under section-11-A of DD Act, 1957, for inviting objections/suggestion from the public.

#### 6. RECOMMENDATION

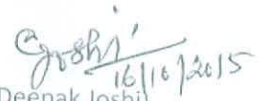
The proposal contain in para-5 is placed before the Technical Committee for consideration and approval please.

  
19/10/15

(Rajesh Kumar Jain)  
Director.(Plg.)Rohini  
Zone-'M'

  
16/10/15

(A.K. Malhotra)  
Dy.Dir.(Plg.)Rohini  
Zone-'M'

  
16/10/2015

(Deepak Joshi)  
Asstt.Dir(Plg.)Rohini  
Zone-'M'

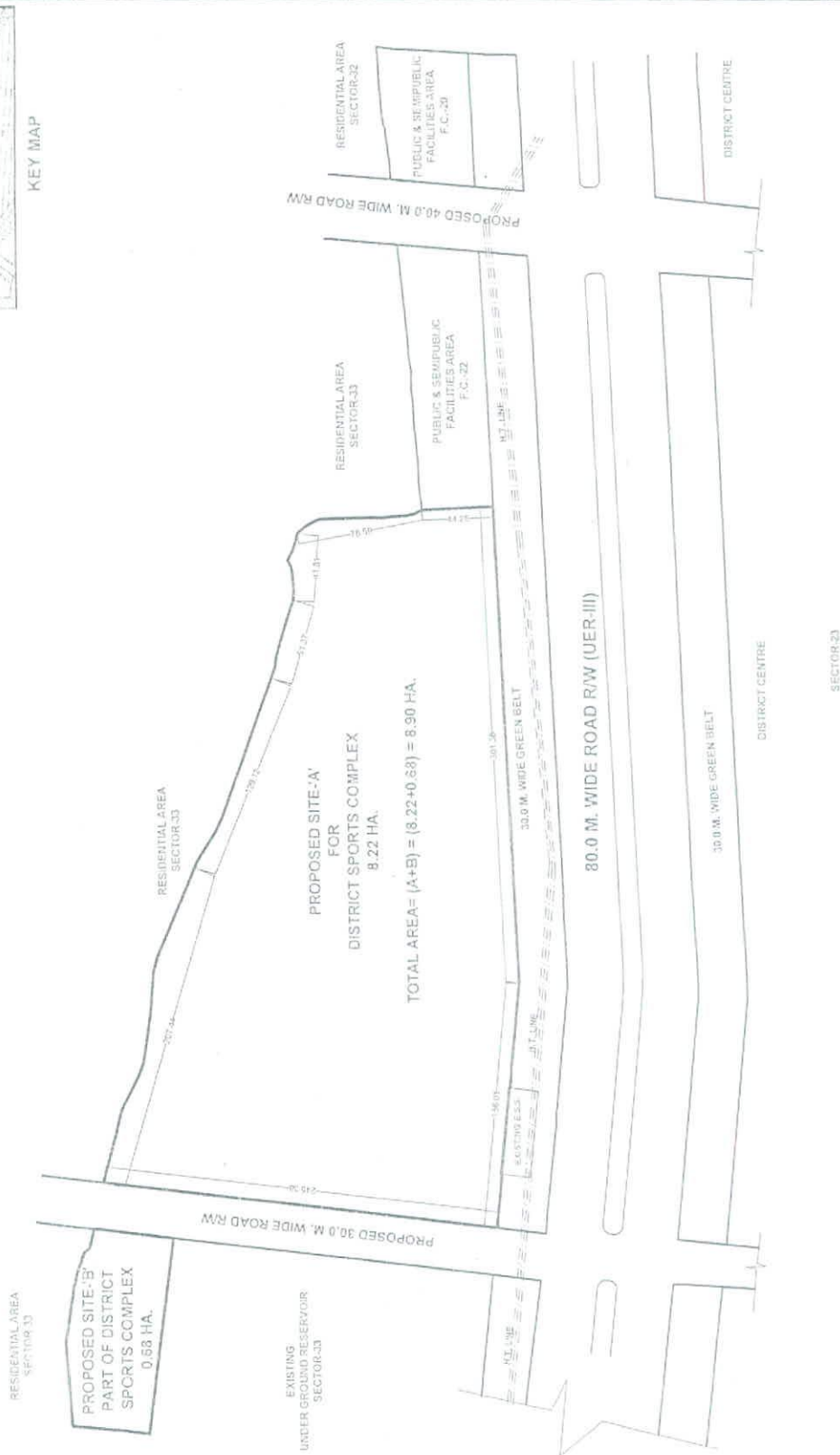




दिल्ली विकास प्राधिकरण  
DELHI DEVELOPMENT AUTHORITY  
रोहिणी योजना कार्यालय  
ROHINI PLANNING OFFICE



KEY MAP



NOTE:

1. THIS DRAWING IS BASED ON TOTAL STATION SURVEY FORWARDED BY DY. DIRECTOR, (ARCH.) II VIDE LETTER NO. 1101/399/SA/RA/NI/UPW/POA/39 DATED 24.02.2015
2. ALL DIMENSIONS ARE IN METERS
3. ONLY WRITTEN DIMENSIONS ARE TO BE FOLLOWED.

FILE NO.: DIR/PLG/JR/0332085

CHANGE OF LANDUSE FROM  
"RECREATIONAL" TO "PUBLIC & SEMIPUBLIC  
FACILITIES" (PS3) SPORTS COMPLEX IN  
SECTOR-33, ROHINI, PHASE-IV

THE SCALE

NTS

DATE

OCTOBER, 2015

BY

DR. SURESH K. SHARMA (DIRECTOR)

PLG. ASST. (ASST. DIR. PLG.)

DR. SURESH K. SHARMA

DR. SURESH K. SHARMA

DR. SURESH K. SHARMA

DR. SURESH K. SHARMA

DR. SURESH K. SHARMA

DR. SURESH K. SHARMA

DR. SURESH K. SHARMA

Sub: Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing.

File No. F.3(19)/2014-MP

#### 1.0 Background

- 1.1 The matter is regarding the proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing. As per MPD-2021, the provision for relaxation in setbacks for Residential Plotted Development and Other than Plotted Development are given in Para 4.4.3A point (x) and in the foot note under Table 17.1 respectively.
- 1.2 Earlier in the specific case of property No. M-17, Green Park the matter for relaxation of setbacks from preceding to preceding category was presented by MCD in the meeting of Technical Committee held on 11.8.2011 vide item No. 20/2011. After detailed deliberation the following decision was taken (Annexure-I): "The proposal for relaxation in setback from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the setback are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Category on the said plot is 75% as per MPD-2021. After the detailed discussion, Technical Committee agreed to the proposal with the provision that existing Ground Coverage (69%) as per drawing submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD".
- 1.3 Now, in the case of Rajesh Kumar Gupta vs SDMC for the property no. C-75, Shivaji Park under Appellate Tribunal of MCD, the appellant has claimed the similar benefit as mentioned in the point 2 above.
- 1.4 The above matter was deliberated before the ATMCD by MCD and DDA, wherein the following issues were highlighted in the order of ATMCD dt. 05.05.2014 (copy annexed as Annexure-II)
  - i. It appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or



due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake cannot be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.

- ii. Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal.
- iii. In that eventually at least the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park.
- iv. Counsel for DDA wants to seek instructions from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

1.5 In view of Para 4. above, the matter was discussed in the meeting held on 21.07.2014 under the Chairmanship of V.C., DDA wherein the officers of MCD & DDA were present, wherein it was decided to "to prepare a modification in MPD-2021 in para 4.4.3A where Para (c) may be added that in case the permissible ground coverage is not achieved in case of (a) above i.e. preceding category setback, the Technical Committee may consider further relaxation of setbacks".

1.6 With reference to above mentioned SDMC vide letter No. TP/G/SDMC/2014/5061 dt. 28.7.2014 submitted the following (Annexure-III): "As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

1.7 Accordingly, the matter was considered & approved in the Technical Committee in its meeting held on 02.09.2014 vide Item No. 56/2014 and the minutes of the same were confirmed in the next Technical Committee held on 24.08.2014 with certain modifications. The decision taken therein is as follows (Annexure-IV): "The proposal was presented by Director (Plg)MP after deliberation Technical Committee recommended the proposal for further processing under Section 11-A of DD Act, 1957 for modification in MPD-2021."

OFFICE OF THE REGISTRAR APPELLATE TRIBUNAL, MCD  
ROOM NO. 29, TIS HAZARI COURTS, DELHI.

Director (P.L.)  
Dr. No. 37  
25/7/14

388/Powse  
31/7/14

Please find enclosed herewith copy of the order dated 05/5/14 passed by the Hon'ble Tribunal in bearing appeal no. 491 /ATMCD/ 12 title as Rajesh Kumar Gupta & An vs SDC in respect of property no. C-75, Shivaji Park, N-D-26

For compliance and necessary action. (N.D.O.H./D.O.D:- 29/8/14)

(G.R. Verma)  
Registrar  
Appellate Tribunal, MCD, Delhi.

1. The Monitoring Committee,  
India Habitat Centre,  
6A, Lodhi Road, Delhi
2. The Deputy Commissioner,  
Zone,  
Delhi Municipal Corporation,  
Delhi
3. The Executive Engineer (Bldg.),  
Zone,  
Delhi Municipal Corporation,  
Delhi

The Director  
(Planning)

D.P.A.  
urged P.L.

for

9/9/14

DOT

24/11/14  
DDMP & DC I

Pl. bring the P/L  
As per proceedings  
i.e. meeting held  
31/07/14

As Director (P.L.) AP-1  
F-3 zone  
P.C. called.

Director (P.L.) M.P.

may Pl. see the attached order of the Appellate Tribunal dated 5/05/14. Reference is made towards letter dated 15/01/2014 of DDMP which relation in preceding to preceding category set back was given. As per X of the order counsel for DDMP, Com. with SH K. BHARTI pointed to be counsel for Director (P.L.) 11-1

21-  
Before Sh. A.K. Saipal  
Appellate Tribunal M.C.D.  
Room No. 28, New Courts  
Tis Hazari, Delhi  
Appeal No. 19 of 2014 M.C.D. .... 12

Rajesh Kumar Gupta & An  
vs  
DDA



A.No.491/12

05.05.2014

Present: Sh. K.N.Singh, counsel for appellant.  
Sh. Ajay Arora, Standing Counsel for MCD  
alongwith Sh. Mohit Sharma and Sh. Shashi  
Kant Sharma counsels for MCD and Sh.  
Sudhir Mehla, EE(BHQ) alongwith Sh.  
Joginder Singh, AE(BHQ) in person.  
Sh. P.K. Aggarwal and Sh. Sanjay Sharma  
counsels for DDA.

Vakalatnama on behalf of DDA filed.

There are two connected matters pertaining to the same property. On behalf of the respondent MCD it is stated that after considering the clarifications received from the DDA dated 15.01.2014, it has been decided that the MCD will take action in accordance with the said report for the time being and in case DDA in future wants to take a different stand then MCD will also act accordingly.

The DDA clarification dated 15.01.2014 leads to the inference that a relaxation in preceding to preceding category set backs was given in respect of property number M-17, Green Park, as a special case after freezing the ground coverage and that benefit is now not permissible in future similar matters. The decision of the DDA in respect of that property was a specific case and not a general instructions or decision. However, nothing is mentioned in the clarification or in the accompanying documents what was the special circumstances that exceptional benefits were given to the owner of that property.

Appellant is claiming the similar benefit on the ground of parity but it appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake can



B



Contd.



S. No.	Date	Order
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not be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.

Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be a possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal, in case he is not given the same benefit on the ground of parity. In that eventuality atleast the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park, who was apparently not at fault but might be suffering due to wrong decisions of the DDA.

Counsel for DDA wants to seek instruction from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

Appellant also wants to consult some architect and structural engineer to find out whether there is any solution of rectification of the property in such a manner that the less damage is caused to it and proceeding category set back is achieved if for the sake of arguments it is presumed that the benefit of parity is not given to him even by the Hon'ble High Court in writ petition.

Put up this matter on 29.08.2014 for further proceedings. Copy of the order be sent to Director (Planning) DDA and one copy be given Dasti to Counsel for DDA. Interim stay is extended till next date.



(ASHWANI SARFAL)  
Appellate Tribunal: MCD

31-  
ANTHONY III

20/8  
30/7/14

SOUTH DELHI MUNICIPAL CORPORATION  
TOWN PLANNING DEPARTMENT

E-Block, 21<sup>ST</sup> Floor, Civic Centre, Minto Road, New Delhi-110002

No: TP/S/SDMC/2014/5061

Dated. 28/7/14

Sh.R.K.Jain,  
The Addl. Commissioner (Plg.)  
Delhi Development Authority,  
Vikas Minar, I.P. Estate,  
New Delhi.

Sub:- Discussion during the meetings chaired by Vice-Chairman/DDA on 21.07.2014

Sir,

In the above referred meeting the following issues were discussed:-

- A. Stilt parking in the Residential Plot - Plotted Housing as a follow up of the High Court Orders dated 29.05.2014 in the matter of P.K. Chatterjee v/s Union of India.
- B. Relaxation of the setbacks from preceding to the preceding category of the Residential plot to achieve the Master Plan FAR and the ground coverage w.r.t. MCD court case on the subject.
- C. Development of scheme by Standard plan or modification in scheme as per development control norms of Master Plan for Delhi-2021.

Vice-Chairman desired a written reply on behalf of SDMC on the above issues. On stilt parking a detail status report along with the affidavits as filed by SDMC and MOUD is enclosed.

Besides the Hon'ble Leader of House of SDMC Sh. Subhash Arya has also requested that stilt parking should not be insisted on narrow lanes/non-trafficable roads because on such roads the movement space for vehicles for parking under stilts is not available.

As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by the Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

As regards the development control norms for shop cum residential plots, the opinion on behalf of MCD is already before the Technical Committee and the same is reproduced below:-

"It is suggested that on all shop-cum-Residential plots (pre 1962 or after 1962) the Residential Development Control Norms shall be applicable whether such Shop-cum-Residential Complex are designated as LSC (under MPD-2001/2021) or not. The Residential Norms shall be applicable at the time of sanction of bldg. Plans on individual plots or addition/alteration on individual plots. The parking charges shall be charged as per Mixed Use policy for providing parking in the vicinity. The Standard Plans shall be revised as per the provisions of MPD-2021 with the Development Control Norms as applicable for Residential Plots. The Basement area may be used for Commercial purpose subject to payment of charges as per Mixed Use Regulations".

Earlier necessary action on the issues are requested for.

Encl:-As above

Yours faithfully,

31/7/14

Shamsher Singh  
Chief Town Planner  
SHAMSHER SINGH  
Chief Town Planner

Copy to :-

1. Leader of House/SDMC-for kind information.
  2. P.S. to Commissioner/SDMC for kind information..
  3. SE(B)/SDMC
  4. SE(B)/NDMC
- 31/07/14





DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (12) 2014/MP/ 354

Date: 13.10.2014

Sub: Minutes of the 12<sup>th</sup> Technical Committee held on 24-09-2014

Item No. 59/2014

**Confirmation of Minutes**

The Minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were circulated to all the members. The observation have been received for Item No. 53/2014 and 56/2014 which are as follows:

Item No. 53/2014

Chief Town Planner (SDMC) vide letter no. TP/G/SDMC/2014/5388 dated 18.09.2014 and Addl. Commr. (Plg) Infrastructure & UC vide note No. F.3 (2) 2006/MP/Vol.I/ dated 19.09.2014 have raised some observations. Chief Town Planner (SDMC) informed that the entire land is govt. /local bodies land and therefore, the change of land use may be processed. Accordingly the minutes of the Item No. 53/2014 have been modified which are as under:-

*"The proposal was presented by Chief Town Planner (SDMC), after detailed deliberation the Technical Committee agreed for the proposal of the redevelopment plan of Parada Bagh" Considering the decision already taken in MCD and recommended the proposal for Change of land use under section 11-A of DD Act 1957.*

Action Dir. (Plg) Zone A & B  
Chief Town Planner (NDMC)

Item No. 56/2014

- i) Addl. Commr. (MP&UE) has requested for modification in the minutes for item NO. 56/2014 stating that, there are no provision for relaxation of set back from preceeding to preceeding category in residential - plot/ plotted housing in MPD-2021. Therefore, it will require modification in the Master Plan - 2021. Accordingly minutes for item no. 56/2014 has been modified which are as under.

*"The proposal was presented by Director (Plg) MP after detailed deliberation Technical Committee recommended the proposal for further processing under section 11 of DD Act 1957 for modification in MPD-2021."*

Action: Director (Plg) MP

The minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were confirmed with above modifications.



15/12  
19/12  
AGENDA FOR TECHNICAL COMMITTEE

ITEM No. 20/11  
-60/0

Sub: Relaxation in Permissible Setbacks for existing Building at Plot No.

M-17, Green Park, New Delhi - Letter no. D/407/E.E(BUILDING)-1/SOUTH Zone Hd. 19-7-11

No. F3(36)2010/MP

This refers to your office letter No. PS/Dir(AP-I)Mis/2011/D-111 dated 17.06.2011 in response to this office letter No. D/01EE(B)-1/SZ/11 dated 01.04.2011, vide which it has been desired to send a revised Agenda, with incorporation of existing built-up floorwise area alongwith the sketch plan indicating existing setbacks, for placing the case before the Technical Committee.

In this regard, the facts of the entire case, with details of existing area on each floor are expounded hereunder:

#### BACKGROUND:

This Basement and Ground Floor of this property were earlier sealed by the Department on account of misuse, in pursuance of orders of the Hon'ble Supreme Court in the case titled as "MC Mehta Vs. UOI & Others" in Writ Petition No. 4677/1985. As the owners / occupiers of the property applied for de-sealing and the case remained under process, the Monitoring Committee constituted by the Hon'ble Supreme Court, vide its orders dated 10.08.2010, directed as under:

"This is a case where the applicant wants to have additional FAR beyond the scope of MPD-2021. De-sealing not approved.

The case may be put up after the premises are regularized in terms of MPD-2021 as no commercial / mixed use activity is permissible in unauthorized construction / setback areas"

The above floors are at present lying sealed.

The plot No. M-17, Green Park, New Delhi, measuring 538.83 sq.mt. (100 m X 58 m) in size forms part of approved Layout Plan. The existing residential building comprises of Basement, Ground Floor, First Floor, Second Floor and Third Floor. The existing ground coverage as per the plan submitted by the owner / applicant comes to 373 sq.mt. The building plan of the property was sanctioned in the year 1981 vide File No. 451/B/HQ/1981 dated 18.08.1981 for construction from Basement to Barsati (Second Floor).

#### PROPOSAL:

The applicant intends to get the existing structures regularized as per Development Control Norms of Master Plan-2021. The permissible ground coverage for this size of plot is 75% (404.12 sq.mt). The applicant is seeking relaxation in setbacks (preceding to preceding category) as the ground coverage as permissible on this size of plot is not achievable even with the setbacks of preceding category.

Confid. 2

The position of achievable ground coverage as per prescribed, preceding and preceding to preceding setbacks is as under:

Ground Coverage (permissible as per Master Plan-2021)	Achievable with the prescribed setbacks				Achievable with the preceding setbacks				Achievable with the preceding to preceding setbacks			
	F	R	S (1)	S (2)	F	R	S (1)	S (2)	F	R	S (1)	S (2)
	6	3	3	3	3	3	3	0	3	0	0	0
75%	46%				66%				91%			
404.12 sq.mts)	247.12 sq.mts.				356.75 sq.mts.				489.95 sq.mts.			

From the above, it can be seen that ground coverage, as permissible under the Master Plan-2021 for this plot cannot be achieved until and unless the benefit of preceding to preceding category in terms of setbacks is extended / allowed.

The coverage of the existing structures comes to 373 sq.mt. i.e. 69% and only front setback to the extent of 03 mts. is maintained. The details of the existing construction on each floor as well as setbacks existing at site are as under:

Floor	Existing built up area (in sq.mts.)	Existing Setbacks
Basement	12.72	Front - 4.5
Ground Floor	373	Rear - 0
First Floor	272.22	Side(1) - 0
Second Floor	254.22	Side(2) - 0
Third Floor	14.12	

A copy of the Existing Building Plan, showing the sketch plan / part Layout Plan indicating the setbacks, is enclosed herewith.

Based on the directions of the Hon'ble Monitoring Committee as well as lucid depiction of the case, it is requested to consider relaxation in setbacks by allowing setbacks of preceding to preceding category for the reasons explained above. The above proposal may kindly be placed before the Technical Committee for necessary consideration and decision. The decision of the Technical Committee may kindly be informed to this office at the earliest, to enable this office to place the factual position before the Hon'ble Monitoring Committee accordingly.

Yours faithfully,

Executive Engineer (Bldg) I  
South Zone



**DELHI DEVELOPMENT AUTHORITY**  
MASTER PLAN SECTION  
6<sup>th</sup> FLOOR, VIKAS MINAR  
I.P Estate, New Delhi – 110002  
Phone No. 23370507

F.1 (10)/2015/MP/336

Date 20.10.2015

**MEETING NOTICE**

The 9<sup>th</sup> Technical Committee meeting of DDA for the year 2015 which was scheduled to be held on 20.10.2015 at 5.00 P.M under the Chairmanship of Vice Chairman, DDA in the Conference Hall at B-Block, 1st Floor, Vikas Sadan, INA, New Delhi 110023 is now postponed and rescheduled for 21.10.2015 Wednesday at 03.30 PM.

It is requested to make it convenient to attend the meeting.



(S.B. Khodankar)  
Director (MP&DC)

To:

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2. Engineer Member, DDA
3. Finance Member, DDA
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6. Commissioner (LM), DDA
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21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

**Special Invitees**

1. C.L.A, DDA
2. S.E. Building Head Quarter MCD (SDMC)

**For item No.**

51/2015

47/2015

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# INDEX

## 9<sup>th</sup> Technical Committee Meeting to be held on 20.10.2015

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It is requested to make it convenient to attend the meeting.



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For item No.

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DIR - GAT - (D) 19-10-15



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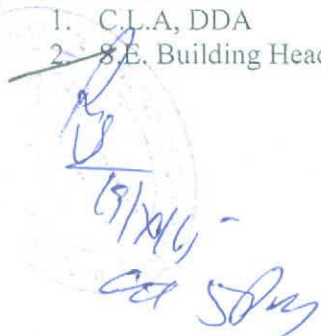
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For item No.

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The 9<sup>th</sup> Technical Committee meeting of DDA for the year 2015 will be held under the Chairmanship of Vice Chairman, DDA on Tuesday 20.10.2015 at 05.00 PM in the Conference Hall at B-Block, 1<sup>st</sup> Floor, Vikas Sadan, INA, New Delhi 110023.

It is requested to make it convenient to attend the meeting.



(S.B. Khodankar)  
Director (MP&DC)

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW, DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development), DMRC
11. Chief Engineer (Elect.), DDA
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17. Secretary, DUAC
18. Chief Town Planner, SDMC/ NDMC/ EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

24/10/15

**Special Invitees**

1. C.L.A, DDA
2. S.E. Building Head Quarter MCD (SDMC)

For item No.

47/2015

9



**DELHI DEVELOPMENT AUTHORITY**  
**MASTER PLAN SECTION**  
**6<sup>th</sup> FLOOR, VIKAS MINAR**  
**1.P Estate, New Delhi – 110002**  
**Phone No. 23370507**

F.1 (10)/2015/MP/332

Date 19.10.2015

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For item No.

47/2015

**N.O.O:**

1. Chief Security officer, Vikas Sadan, DDA, INA, New Delhi-110023.
2. Asstt. Director Zone- 'A' & 'B' for uploading the presentation in Computer at Conference Hall
3. A.E. (Maintenance)-I, Civil, B-Block Vikas Sadan, DDA, INA, New Delhi-110023.
4. A.E (Maintenance), Electrical Vikas Sadan, DDA, INA, New Delhi-110023.
5. Reception, Vikas Sadan, DDA, INA, New Delhi-110023



**DELHI DEVELOPMENT AUTHORITY**  
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*Suggested to 19/10*  
*Chairman to SAC (HQ)*  
*ADG (CA) (H)*

*19/10/15*

*18/10/15*

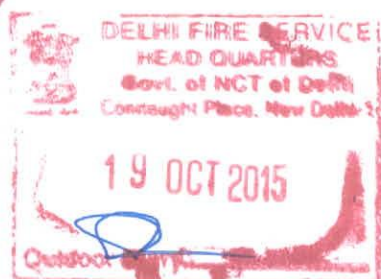
*Rachna 19/10/15*

**Special Invitees**

1. C.L.A., DDA
2. S.E. Building Head Quarter MCD (SDMC)

For item No.

47/2015



# INDEX

## 9<sup>th</sup> Technical Committee Meeting to be held on 20.10.2015

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2.	47/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing <b>F20(20)2014/MP</b>	5-10
3.	48/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi. <b>F.20(08)2015/MP</b>	11-13
4.	49/2015	Proposed change of Landuse of an area measuring 1.12 Ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' in Zone D <b>F 20(11) 2015/ MP</b>	14-19
5.	50/2015	Proposed Sports Complex in Sector-33 (Phase- IV & V) previous Sector-23 (Phase III) <b>F Dir/ Plg./R/4033/2005</b>	20-22

**DELHI DEVELOPMENT AUTHORITY**  
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1. C.L.A, DDA
2. S.E. Building Head Quarter MCD (SDMC)

**For item No.**

**47/2015**



दिल्ली विकास प्राधिकरण  
(मास्टर प्लान विभाग)  
छठी मंजिल, विकास मीनार  
आई0पी0 एस्टेट, नई दिल्ली -1100 02

संख्या:एफ:1(10)2015/

दिनांक: /10/2015

**विषय:- बैठक की सूचना ।**

नवीं तकनीकी समिति बैठक दिल्ली विकास प्राधिकरण वर्ष 2015 एजेंडा के साथ वस्तुओं की सूची में समय सांयकाल 5.00 बजे पर मंगलवार दिनांक 20/10/2015 सम्मेलन कक्ष, बी ब्लॉक, विकास सदन, पर उपाध्यक्ष, दि0वि0प्रा0 महोदय की अध्यक्षता में आयोजित की जाएगी/ परिचालित की जाएगी ।

सुविधाजनक बैठक में भाग लेने के लिए व रिपोर्ट बनाने के लिए अनुरोध किया जाता है।

निदेशक(योजना)एम0पी0  
दिल्ली विकास प्राधिकरण

**प्रतिलिपि:-**

1. उपाध्यक्ष, दि0वि0प्रा0 ।
2. अभियंता सदस्य, दि0वि0प्रा0 ।
3. वित्त सदस्य, दि0वि0प्रा0 ।
4. आयुक्त (योजना) दि0वि0प्रा0 ।
5. आयुक्त (एल0डी0) दि0वि0प्रा0 ।
6. आयुक्त (एल0 एम0) दि0वि0प्रा0 ।
7. मुख्य नियोजक, टी0सी0पी0ओ0 दि0वि0प्रा0 ।
8. मुख्य वास्तुविद्, डी0डी0ए0 दि0वि0प्रा0
9. मुख्य वास्तुविद्, एन0डी0एम0सी0 ।
10. मुख्य अभियंता (प्रॉपर्टी डेवलपमेंट), डी0एम0आर0सी0
11. मुख्य अभियंता (विधुत), दि0वि0प्रा0 ।
12. अतिरिक्त आयुक्त (योजना) क्षेत्रीय योजना दि0वि0प्रा0 ।
13. अतिरिक्त आयुक्त (योजना) एम0पी0आर0/डी0सी0 दि0वि0प्रा0 ।
14. अतिरिक्त आयुक्त (योजना) टी0वी0एंड सी0 दि0वि0प्रा0 ।
15. अतिरिक्त आयुक्त (योजना) यू0ई0/लैंड पुलिंग दि0वि0प्रा0 ।
16. अतिरिक्त आयुक्त (भूदृश्य), दि0वि0प्रा0
17. सचिव, डी0यू0ए0सी0 ।
18. मुख्य नगर नियोजक, एस0डी0एम0सी0 ।
19. सीनियर आर्किटेक्ट, (मुख्यालय -1), सी0पी0डब्ल्यू0डी0, निर्माण भवन ।
20. उपायुक्त पुलिस (यातायात) दिल्ली ।
21. भूमि एवं विकास अधिकारी, (एल0 एंड डी0ओ0) ।
22. निदेशक, अग्निशमन अधिकारी, जी0एन0सी0टी ।

**विशेष आमंत्रित**

- 1-
- 2-

#### 4. STATUS REPORT

The information based on the format provide by MoUD vide letter dated 07.04.2015 is given below:

Sl.No		Status
I.	Whether the land is government or private and who is the land owning agency?	Land acquired and possession with DDA for planned development of Rohini Ph.-III, IV & V. Land is available and with Engineering Wing DDA.
II.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	A request from RWA's has been received for development of Sports Complex in this area. At present DDAs Sport Complex is located opposite Sector-IX. As per ZDP for Zone-M, Sports Facility has been proposed in Sector-34 which is located at distance of about 5-6 km & is yet to be developed.
III.	Whether a responsible office from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Total Station Survey has been provided by the Engineering Wing. The site has been inspected by Dy. Director(Plg.), Dy. Director (Survey) of Rohini Project. The site is without any development.
IV.	What is the public purpose proposed to be served by modification of MPD and/or change of land use?	This facility will cater to the population residing in Sectors-20 to 25 and population of Sector-32, 36, 37, 38 where the plots have been allotted recently.
V.	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal is within the provision of MPD-2021. The FAR & Ground coverage for Sports facility is comparatively low and will also provide for large open spaces & landscape areas with tree plantation.
VI.	What will be proposal's impact/implications on general public e.g. Law & order etc.?	This will be additional facility for the general public & will not have any impact on Law & order.
VII.	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	The scheme for this area has been prepared in 2004 and Total Station Survey has been provided by the Engineering Wing in 2014. No court case/ownership dispute has been reported.

#### 5. PROPOSAL

The following modifications is proposed in Master Plan for Delhi-2021 & Zonal Development plan for Zone-M under Section-11-A of DDA Act 1957.

Location	Area (in Ha.)	Landuse (as per MPD-2021 & ZDP of Zone-M)	Proposed Landuse	Boundaries
Sector-33 Rohini, Ph-IV.		Recreational	Public & Semi Public Facilities. (PS3) Sports Facilities/ Complex/ Stadium/ Sports Centre	North- Sector-32, Rohini. East- 30.0 m. wide green belt, and 80.0 m wide road R/W(UER-III) South- Under Ground Reservoir (existing) West- Sector-33, Rohini.

Subject: Proposed Sports Complex in Sector-33 (Ph-Iv & V), previous Sector-23 (Ph-III).

R.20(18)/2015-MP

### 1. BACKGROUND

- I. A request from Confederation of RWAs of Sector-20 to 25 of Rohini has been received, forwarded by Hon'ble Member of Parliament for development of Sports Complex in this area. It has been forwarded by Raj Niwas.
- II. As per approved composite plan of sector-20 to 25, Rohini (Ph-III) the site under reference has been earmarked for Recreational purpose.
- III. The plan prepared by Landscape unit was approved in 231<sup>st</sup> Screening Committee held on 15.03.2004 vide item no. 33:2004 with the direction that "No construction shall be carried out in the Sport center only open field and jogging track shall be developed".
- IV. The Sports Complex plan approved on 15.03.2004 facilities such as open field/ courts for various sports, Swimming Pool, Multi Gym etc.
- V. As per the Scheme for Rohini Phase-IV and V, the area under reference has been re-designated as part of Sector-33, Rohini.

### 2. MPD-2021 PROVISIONS.

- i. The land use as per MPD 2021 and notified ZDP of Zone-M is 'Recreational' where only Sports Activity, Play Ground, Amenity Structures are permitted.
- ii. As per MPD-2021 the Sports facilities are categorized under Chapter-13, Social Infrastructure. As per MPD-2021, Sports Facilities/ Complex/Stadium / Sports Centre are categorized under land use "Public and Semi-public Facilities".
- iii. The proposed Sports facility will be covered under District Sports Centre catering for a population of 5 lakhs and above. Development Control Norms as per para 13.3.3 are reproduced below.

Maximum ground coverage	20% including amenity structures
Max. FAR	40
Height	NR (Subject to clearance from AAI, Fire Dept. and other statutory bodies).
Parking	2 ECS/ 100 sqm of floor area.

### 3. EXAMINATION

- I. Total Station survey has been provided by Engineering Wing for the area under reference, green belt etc. measuring about 21.62 ha. This has been forwarded by Dy. Dir. (Arch.)-II vide letter No. F1(01)09/SA(R&N)/HUPW/DDA/39 dated 24.02.2015.
- II. The site is parallel to 80 m wide Urban Extension Road-III. ZDP for Zone-M has proposed two roads (30 and 40 m wide) for connecting proposed development in sector-33. This has been demarcated in Total Station survey. The area available for development of proposed District Sports Complex is 8.90 ha. The layout plan is enclosed as Annexure-I.
- III. In view of above this will require processing of modification in the land use of MPD-2021 and ZDP for Zone-M under Section-11-A of DDA Act 1957.

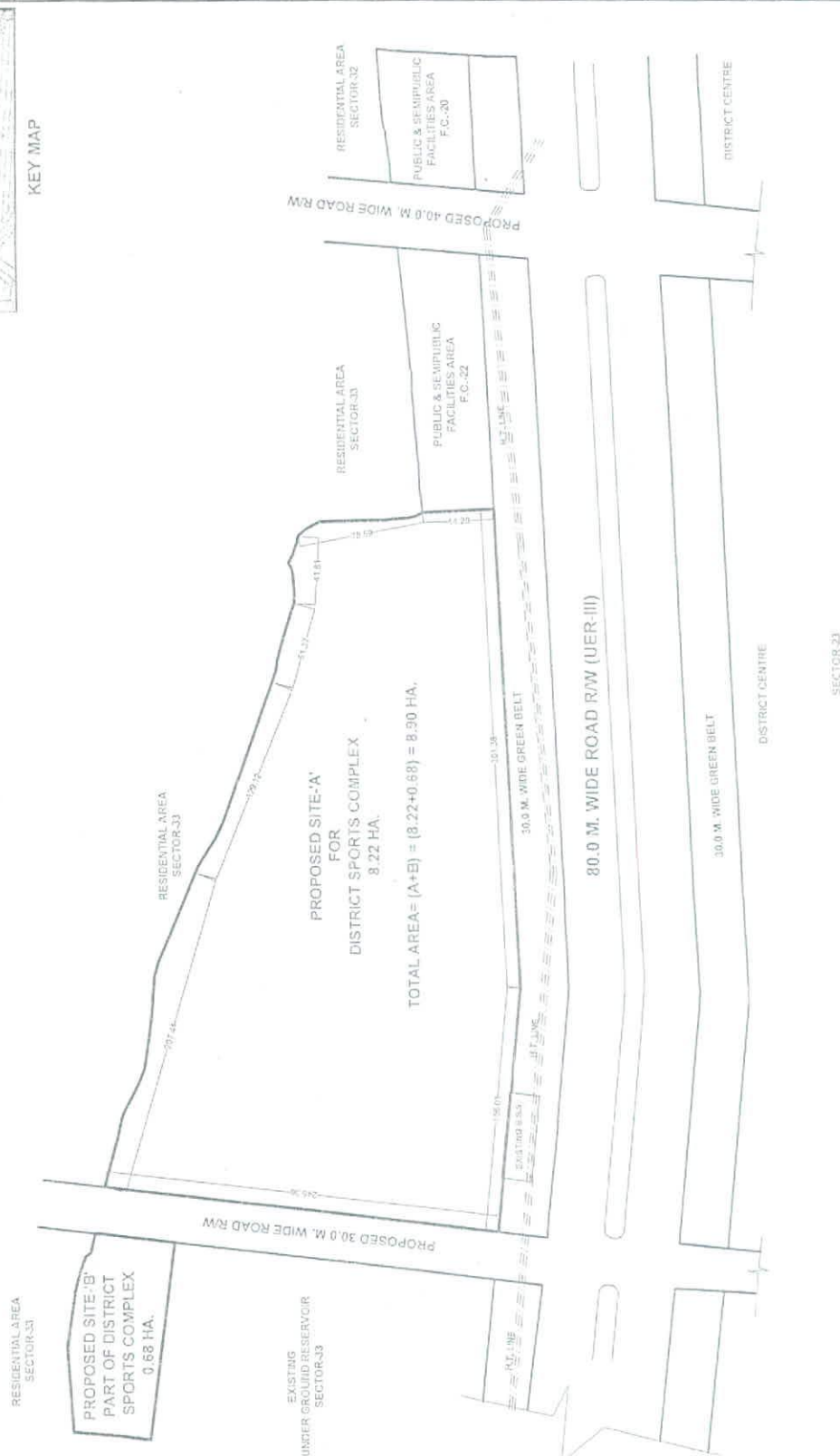




दिल्ली विकास अधिकारी  
DELHI DEVELOPMENT AUTHORITY  
रोहिणी योजना कार्यालय  
ROHINI PLANNING OFFICE



KEY MAP



NOTE:

1. THIS DRAWING IS BASED ON TOTAL STATION SURVEY FORWARDED BY DZ DIRECTOR, (ARCH) IN VIDE LETTER NO.T/01/09/5A/86/HUPW/DDA/79 DATED 24.02.2015.
2. ALL DIMENSIONS ARE IN METERS.
3. ONLY WRITTEN DIMENSIONS ARE TO BE FOLLOWED.

FILE NO.: DHR (PLG)/R/413/2005

CHANGE OF LANDUSE FROM  
"RECREATIONAL" TO "PUBLIC & SEMIPUBLIC  
FACILITIES" (PS3) SPORTS COMPLEX IN  
SECTOR-33, ROHINI, PHASE-IV



DATE: NTS  
MONTH: OCTOBER, 2015

APPROVED BY: DIRECTOR, DDA

DATE: 24.02.2015

BY: DIRECTOR, DDA

FOR: DIRECTOR, DDA

BY: DIRECTOR, DDA

FOR: DIRECTOR, DDA

BY: DIRECTOR, DDA

FOR: DIRECTOR, DDA

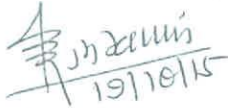
BY: DIRECTOR, DDA

FOR: DIRECTOR, DDA

Based on the consideration & recommendation of Technical Committee, the proposal will be placed before the Authority for processing under section-11-A of DD Act, 1957, for inviting objections/suggestion from the public.

#### 6. RECOMMENDATION

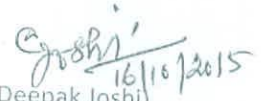
The proposal contain in para-5 is placed before the Technical Committee for consideration and approval please.

  
19/10/15

(Rajesh Kumar Jain)  
Director.(Plg.)Rohini  
Zone-'M'

  
16/10/15

(A.K. Malhotra)  
Dy.Dir.(Plg.)Rohini  
Zone-'M'

  
16/10/2015

(Deepak Joshi)  
Asstt.Dir(Plg.)Rohini  
Zone-'M'

due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake cannot be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.

- ii. Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal.
- iii. In that eventually at least the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park.
- iv. Counsel for DDA wants to seek instructions from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

1.5 In view of Para 4. above, the matter was discussed in the meeting held on 21.07.2014 under the Chairmanship of V.C., DDA wherein the officers of MCD & DDA were present, wherein it was decided to "to prepare a modification in MPD-2021 in para 4.4.3A where Para (c) may be added that in case the permissible ground coverage is not achieved in case of (a) above i.e. preceding category setback, the Technical Committee may consider further relaxation of setbacks".

1.6 With reference to above mentioned SDMC vide letter No. TP/G/SDMC/2014/5061 dt. 28.7.2014 submitted the following (Annexure-III): "As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

1.7 Accordingly, the matter was considered & approved in the Technical Committee in its meeting held on 02.09.2014 vide Item No. 56/2014 and the minutes of the same were confirmed in the next Technical Committee held on 24.08.2014 with certain modifications. The decision taken therein is as follows (Annexure-IV): "The proposal was presented by Director (Plg)MP after deliberation Technical Committee recommended the proposal for further processing under Section 11-A of DD Act, 1957 for modification in MPD-2021."



Sub: Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing.

File No. F.3(19)/2014-MP

#### 1.0 Background

- 1.1 The matter is regarding the proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing. As per MPD-2021, the provision for relaxation in setbacks for Residential Plotted Development and Other than Plotted Development are given in Para 4.4.3A point (x) and in the foot note under Table 17.1 respectively.
- 1.2 Earlier in the specific case of property No. M-17, Green Park the matter for relaxation of setbacks from preceding to preceding category was presented by MCD in the meeting of Technical Committee held on 11.8.2011 vide item No. 20/2011. After detailed deliberation the following decision was taken (Annexure-I): "The proposal for relaxation in setback from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the setback are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Category on the said plot is 75% as per MPD-2021. After the detailed discussion, Technical Committee agreed to the proposal with the provision that existing Ground Coverage (69%) as per drawing submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD".
- 1.3 Now, in the case of Rajesh Kumar Gupta vs SDMC for the property no. C-75, Shivaji Park under Appellate Tribunal of MCD, the appellant has claimed the similar benefit as mentioned in the point 2 above.
- 1.4 The above matter was deliberated before the ATMCD by MCD and DDA, wherein the following issues were highlighted in the order of ATMCD dt. 05.05.2014 (copy annexed as Annexure-II)
  - i. It appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or

1.8 Based on the recommendations of the Technical Committee draft agenda for Authority meeting was forwarded to the Hon'ble Lt. Governor, Delhi for its consideration in the Authority meeting vide this office note dated 17.10.2014. Hon'ble L.G., Delhi submitted the following observations on the draft agenda :*"I see that the proposed draft agenda has been put up on the basis of one individual case where DDA took a wrong decision/ gave undue favour in violation of MPD norms. Even the order of Appellate Tribunal mentions the same. The proposed agenda is also silent with regard to conformity with the provisions of National Building Code & Building Bye-Laws. Views of Fire Deptt have also to be sought before the matter is placed before the Authority."*

**2.0 Follow-up action:**

2.1 After discussion among the Sr. officers of Planning Wing, DDA, it is opined that at the first instance comments/ observations from the Legal Deptt., DDA may be obtained in this regard.

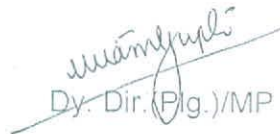
2.2 Accordingly the file was submitted to Legal Deptt., DDA and the following observations were received:

- i. The deptt. is under no legal obligation to process the matter further for modification in MPD-2021.
- ii. The earlier decision of Technical Committee if in contravention of the MPD norms then it is not legally tenable. Even the DDA counsel did not oppose observations of Hon'ble Court in the context.
- iii. The matter may be placed before the Technical Committee if deemed / appropriate for consideration of the matter in view of observation of the Hon'ble Court.

3.0 In view of the observation of the Legal Deptt. in para 2.0 above, the matter is placed before the Technical Committee for appropriate decision.



Asstt. Dir. (Plg.)/MP&DC



Dy. Dir. (Plg.)/MP



Director (Plg.)/MP

- 27 -

After the detailed discussion, Technical Committee agreed to the proposal with the proviso that existing Ground Coverage(69%) as per drawings submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD

Action:Ex.Engg.(Bldg.)South Zone MCD)

Item No.21/11:

Sub:Continuance of Temporary Cinemas in Delhi.

F.11(6)/74/MP/Pt.I

The item was presented by Director (Plg.) MP & Zone 'D', it was informed that the temporary cinemas which were continuing on license basis, for a long time, at various locations in Delhi, were not conforming to the land use provisions. The MPD-2001 had stipulated the conditions for continuation of temporary cinemas, subject to maximum capacity of 300 seats; minimum front right of way 18 mtrs; One car space per 25 seats; conformity to the Cinematography Act and levying of conversion charges, to be worked out by the Authority. However, the issue of continuance of temporary cinemas is not addressed in the MPD-2021. Several representations were received from time to time in this regard and the issue of permissibility of temporary cinemas on permanent basis was also raised in one of the Authority meetings by the non official members which was also placed before the Technical Committee.

In view of the directions of the Hon'ble Lt.Governor for processing the cases of existing temporary cinemas for regularization, the matter was again placed before the Technical Committee. After detailed deliberations, it was observed that continuance of Temporary Cinemas and the possibility of effecting land use change to make them permanent in situ in Delhi should be dealt on case to case basis. Accordingly it was decided that the present status of the temporary cinemas in terms of area, ownership details and existing/functioning activities in these premises, supported by photographs/documents may be obtained to examine the matter further.

Action: Concerned Directors (Plg.)

Item No.22/11:

Sub:Revised layout plan for CRPF Campus at Mahavir Nagar, New Delhi.

F.1(25)07/MP/

Director (Plg.) C&G, DDA presented the case. It was decided that CRPF will submit the revised proposal, ensuring optimum use of land and accommodating future requirement of housing and office spaces as per MPD-2021 provisions.

Action:Dir.(Plg.)C&G Zone.



DELHI DEVELOPMENT AUTHORITY  
(MASTER PLAN SECTION)  
6<sup>th</sup> FLOOR: VIKAS MINAR:  
NEW DELHI.

No: F.1(7)2011-MP | 247

Dt: 29/8/11

MINUTES OF 3<sup>rd</sup> TECHNICAL COMMITTEE MEETING HELD ON 11.8.2011 .  
LIST OF THE PARTICIPANTS IS ANNEXED.

Item No. 18/11:

Sub:Confirmation of minutes of 2<sup>nd</sup> Technical Committee Meeting held on 20.4.2011.

The minutes were forwarded to the members and no comments/observations has been received for any item. Therefore, the same were confirmed.

Item No.19/11:

Sub:Development of Knowledge Based Industrial Park (KBIP)at Baprola by DSIIDC in Zone K-I.

F.3(47)2011/MP

The proposal was explained by Director (Plg.) DWK and the presentation was given by the officers of DSIIDC. After detailed deliberations, it was decided that the modifications as proposed in the Agenda at Para 4.0 may be processed under Section 11(A) of DD Act '1957 for change of land use with the condition that DSIIDC will implement the project strictly as per the activities permitted in the 'Industrial' Use Zone under MPD-2021 and further actions as identified in para 4 of the Agenda. Accordingly the name of the project will also be changed from 'Knowledge Based Industrial Park' to 'Industrial Park'.

Action:Director(Plg.(Dwarka)

Item No.20/11:

Sub:Relaxation in permissible Setbacks for existing building at Plot No.M-17, Green Park, New Delhi.

F.3(36)/2010/MP/

//The proposal for relaxation in set backs from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the set backs are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Coverage on the said plot is 75% as per MPD-2021.

21-  
Before Sh. A.K. Sarpal  
Appellate Tribunal M.C.D.  
Room No. 20, New Courts  
Tis Hazari, Delhi  
Appeal No. 491/AT.M.C.D./12

Rajesh Kumar Gupta & Anr  
vs  
DDA



A.No.491/12

05.05.2014

Present : Sh. K.N.Singh, counsel for appellant.  
Sh. Ajay Arora, Standing Counsel for MCD  
alongwith Sh. Mohit Sharma and Sh. Shashi  
Kant Sharma counsels for MCD and Sh.  
Sudhir Mehta, EE(BHQ) alongwith Sh.  
Joginder Singh, AE(BHQ) in person.  
Sh. P.K. Aggarwal and Sh. Sanjay Sharma  
counsels for DDA.

Vakalatnama on behalf of DDA filed.

There are two connected matters pertaining to the same property. On behalf of the respondent MCD it is stated that after considering the clarifications received from the DDA dated 15.01.2014, it has been decided that the MCD will take action in accordance with the said report for the time being and in case DDA in future wants to take a different stand than MCD will also act accordingly.

The DDA clarification dated 15.01.2014 leads to the inference that a relaxation in preceding to preceding category set backs was given in respect of property number M-17, Green Park, as a special case after freezing the ground coverage and that benefit is now not permissible in future similar matters. The decision of the DDA in respect of that property was a specific case and not a general instructions or decision. However, nothing is mentioned in the clarification or in the accompanying documents what was the special circumstances that exceptional benefits were given to the owner of that property.

Appellant is claiming the similar benefit on the ground of parity but it appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake can



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Annexure - II

OFFICE OF THE REGISTRAR APPELLATE TRIBUNAL, MCD  
ROOM NO. 29, TIS HAZARI COURTS, DELHI.

Dr. No. 357  
25/7/14

388/pouse  
31/7/14

Please find enclosed herewith copy of the order dated 05/5/14 passed by the Hon'ble Tribunal in bearing appeal no. 491 /ATMCD/ 12 title as Rajesh Kumar Gupta & An vs SDC in respect of property no. C-75, Gauraji Park, N-D-26

For compliance and necessary action. (N.D.O.H./D.O.D:- 29/8/14)

(G.R. Verma)  
Registrar

Appellate Tribunal, MCD, Delhi.

1. The Monitoring Committee,  
India Habitat Centre,  
6A, Lodhi Road, Delhi
2. The Deputy Commissioner,  
Zone,  
Delhi Municipal Corporation,  
Delhi
3. The Executive Engineer (Bldg.),  
Zone,  
Delhi Municipal Corporation,  
Delhi

The Director  
(Planning)

D.J.A.  
Chief P.L.

for  
9/7/14

DOT

① V.H. m. Compt  
DDMP & DC I

Pl. by the P/L  
As per proceedings  
i.e. meeting held  
31/07/14

By Director (Plg) AP-2  
F- zone  
P.C. called.

Director (Plg) m.p.

may please see the attached order of the Appellate Tribunal dated 5/5/14. Reference is made towards letter dated 15/01/2014 of DDA wherein relation in preceding to preceding category set back was given. As per 'x' of the order counsel for DDA, Com. with SH K. BHARTI provided to be counsel. 11 - P



51-  
ATTENDANCE III  
20/8  
30/7/14

SOUTH DELHI MUNICIPAL CORPORATION  
TOWN PLANNING DEPARTMENT  
E-Block, 21<sup>ST</sup> Floor, Civic Centre, Minto Road, New Delhi-110002

No: TP/5./SDMC/2014/5061

Dated. 28/7/14

Sh.R.K.Jain,  
The Addl. Commissioner (Plg.)  
Delhi Development Authority,  
Vikas Minar, I.P. Estate,  
New Delhi.

384/SDMC  
31/7/14

Sub:- Discussion during the meetings chaired by Vice -Chairman/DDA on 21.07.2014

Sir,

In the above referred meeting the following issues were discussed:-

- A. Stilt parking in the Residential Plot – Plotted Housing as a follow up of the High Court Orders dated 29.05.2014 in the matter of P.K. Chatterjee v/s Union of India.
- B. Relaxation of the setbacks from preceding to the preceding category of the Residential plot to achieve the Master Plan FAR and the ground coverage w.r.t. MCD court case on the subject.
- C. Development of scheme by Standard plan or modification in scheme as per development control norms of Master Plan for Delhi-2021.

Vice-Chairman desired a written reply on behalf of SDMC on the above issues. On stilt parking a detail status report along with the affidavits as filed by SDMC and MOUD is enclosed.

Besides the Hon'ble Leader of House of SDMC Sh. Subhash Arya has also requested that stilt parking should not be insisted on narrow lanes/non-trafficable roads because on such roads the movement space for vehicles for parking under stilts is not available.

As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by the Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

As regards the development control norms for shop cum residential plots, the opinion on behalf of MCD is already before the Technical Committee and the same is reproduced below:-

*"It is suggested that on all shop-cum-Residential plots ( pre 1962 or after 1962) the Residential Development Control Norms shall be applicable whether such Shop-cum-Residential Complex are designated as LSC (under MPD-2001/2021) or not. The Residential Norms shall be applicable at the time of sanction of bldg. Plans on individual plots or addition/alteration on individual plots. The parking charges shall be charged as per Mixed Use policy for providing parking in the vicinity. The Standard Plans shall be revised as per the provisions of MPD-2021 with the Development Control Norms as applicable for Residential Plots. The Basement area may be used for Commercial purpose subject to payment of charges as per Mixed Use Regulations".*

Earlier necessary action on the issues are requested for.

Encl:-As above

Yours faithfully,

*Shamsher Singh*  
Chief Town Planner  
SHAMSHER SINGH  
Chief Town Planner  
28/7/14

Copy to :-

1. Leader of House/SDMC-for kind information.
2. P.S. to Commissioner/SDMC for kind information..
3. SE(B)/SDMC
4. SE(B)/NDMC

31/07/14

Contd.



S. No.	Date	Order
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not be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.

Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be a possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal, in case he is not given the same benefit on the ground of parity. In that eventuality atleast the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park, who was apparently not at fault but might be suffering due to wrong decisions of the DDA.

Counsel for DDA wants to seek instruction from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

Appellant also wants to consult some architect and structural engineer to find out whether there is any solution of rectification of the property in such a manner that the less damage is caused to it and proceeding category set back is achieved if for the sake of arguments it is presumed that the benefit of parity is not given to him even by the Hon'ble High Court in writ petition.

Put up this matter on 29.08.2014 for further proceedings. Copy of the order be sent to Director (Planning) DDA and one copy be given Dasti to Counsel for DDA. Interim stay is extended till next date.

(ASHWANI SARPAL)  
Appellate Tribunal:MCD







DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (12) 2014/MP/ 354

Date: 13.10.2014

Sub: Minutes of the 12<sup>th</sup> Technical Committee held on 24-09-2014

Item No. 59/2014

#### Confirmation of Minutes

The Minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were circulated to all the members. The observation have been received for Item No. 53/2014 and 56/2014 which are as follows:

Item No. 53/2014

Chief Town Planner (SDMC) vide letter no. TP/G/SDMC/2014/5388 dated 18.09.2014 and Addl. Commr. (Plg) Infrastructure & UC vide note No. F.3 (2) 2006/MP/Vol.I/ dated 19.09.2014 have raised some observations. Chief Town Planner (SDMC) informed that the entire land is govt. /local bodies land and therefore, the change of land use may be processed. Accordingly the minutes of the Item No. 53/2014 have been modified which are as under:-

*"The proposal was presented by Chief Town Planner (SDMC), after detailed deliberation the Technical Committee agreed for the proposal of the redevelopment plan of Parada Bagh" Considering the decision already taken in MCD and recommended the proposal for Change of land use under section 11-A of DD Act 1957.*

Action Dir. (Plg) Zone A & B  
Chief Town Planner (NDMC)

Item No. 56/2014

- i) Addl. Commr. (MP&UE) has requested for modification in the minutes for item NO. 56/2014 stating that, there are no provision for relaxation of set back from preceeding to preceeding category in residential - plot/ plotted housing in MPD-2021. Therefore, it will require modification in the Master Plan - 2021. Accordingly minutes for item no. 56/2014 has been modified which are as under.

*"The proposal was presented by Director (Plg) MP after detailed deliberation Technical Committee recommended the proposal for further processing under section 11 of DD Act 1957 for modification in MPD-2021."*

Action: Director (Plg) MP

The minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were confirmed with above modifications.



- due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake cannot be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.
- ii. Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal.
  - iii. In that eventually at least the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park.
  - iv. Counsel for DDA wants to seek instructions from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

1.5 In view of Para 4. above, the matter was discussed in the meeting held on 21.07.2014 under the Chairmanship of V.C., DDA wherein the officers of MCD & DDA were present wherein it was decided to "to prepare a modification in MPD-2021 in para 4.4.3A where Para (c) may be added that in case the permissible ground coverage is not achieved in case of (a) above i.e. preceding category setback, the Technical Committee may consider further relaxation of setbacks".

1.6 With reference to above mentioned SDMC vide letter No. TP/G/SDMC/2014/5061 dt. 28.7.2014 submitted the following (Annexure-III): "As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

1.7 Accordingly, the matter was considered & approved in the Technical Committee in its meeting held on 02.09.2014 vide Item No. 56/2014 and the minutes of the same were confirmed in the next Technical Committee held on 24.08.2014 with certain modifications. The decision taken therein is as follows (Annexure-IV): "The proposal was presented by Director (P/g)MP after deliberation Technical Committee recommended the proposal for further processing under Section 11-A of DD Act, 1957 for modification in MPD-2021."

Sub: Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing.

File No. F.3(19)/2014-MP

#### 1.0 Background

- 1.1 The matter is regarding the proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing. As per MPD-2021, the provision for relaxation in setbacks for Residential Plotted Development and Other than Plotted Development are given in Para 4.4.3A point (x) and in the foot note under Table 17.1 respectively.
- 1.2 Earlier in the specific case of property No. M-17, Green Park the matter for relaxation of setbacks from preceding to preceding category was presented by MCD in the meeting of Technical Committee held on 11.8.2011 vide item No. 20/2011. After detailed deliberation the following decision was taken (Annexure-I): "The proposal for relaxation in setback from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the setback are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Category on the said plot is 75% as per MPD-2021. After the detailed discussion, Technical Committee agreed to the proposal with the provision that existing Ground Coverage (69%) as per drawing submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD".
- 1.3 Now, in the case of Rajesh Kumar Gupta vs SDMC for the property no. C-75, Shivaji Park under Appellate Tribunal of MCD, the appellant has claimed the similar benefit as mentioned in the point 2 above.
- 1.4 The above matter was deliberated before the ATMCD by MCD and DDA, wherein the following issues were highlighted in the order of ATMCD dt. 05.05.2014 (copy annexed as Annexure-II)
  - i. It appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or



1.8 Based on the recommendations of the Technical Committee draft agenda for Authority meeting was forwarded to the Hon'ble Lt. Governor, Delhi for its consideration in the Authority meeting vide this office note dated 17.10.2014. Hon'ble L.G., Delhi submitted the following observations on the draft agenda : "I see that the proposed draft agenda has been put up on the basis of one individual case where DDA took a wrong decision/ gave undue favour in violation of MPD norms. Even the order of Appellate Tribunal mentions the same. The proposed agenda is also silent with regard to conformity with the provisions of National Building Code & Building Bye-Laws. Views of Fire Deptt have also to be sought before the matter is placed before the Authority."

**2.0 Follow-up action:**

2.1 After discussion among the Sr. officers of Planning Wing, DDA, it is opined that at the first instance comments/ observations from the Legal Deptt., DDA may be obtained in this regard.

2.2 Accordingly the file was submitted to Legal Deptt., DDA and the following observations were received:

- i. The deptt. is under no legal obligation to process the matter further for modification in MPD-2021.
- ii. The earlier decision of Technical Committee if in contravention of the MPD norms then it is not legally tenable. Even the DDA counsel did not oppose observations of Hon'ble Court in the context.
- iii. The matter may be placed before the Technical Committee if deemed / appropriate for consideration of the matter in view of observation of the Hon'ble Court.

3.0 In view of the observation of the Legal Deptt. in para 2.0 above, the matter is placed before the Technical Committee for appropriate decision.

  
Asstt. Dir. (Plg.)/MP&DC

  
Dy. Dir. (Plg.)/MP

  
Director (Plg.)/MP



- 27 -

After the detailed discussion, Technical Committee agreed to the proposal with the proviso that existing Ground Coverage(69%) as per drawings submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD

Action:Ex.Engg.(Bldg.)South Zone MCD)

Item No.21/11:

Sub:Continuance of Temporary Cinemas in Delhi.

F.11(6)/74/MP/Pt.I

The item was presented by Director (Plg.) MP & Zone 'D', it was informed that the temporary cinemas which were continuing on license basis, for a long time, at various locations in Delhi, were not conforming to the land use provisions. The MPD-2001 had stipulated the conditions for continuation of temporary cinemas, subject to maximum capacity of 300 seats; minimum front right of way 18 mtrs; One car space per 25 seats; conformity to the Cinematography Act and levying of conversion charges, to be worked out by the Authority. However, the issue of continuance of temporary cinemas is not addressed in the MPD-2021. Several representations were received from time to time in this regard and the issue of permissibility of temporary cinemas on permanent basis was also raised in one of the Authority meetings by the non official members which was also placed before the Technical Committee.

In view of the directions of the Hon'ble Lt.Governor for processing the cases of existing temporary cinemas for regularization, the matter was again placed before the Technical Committee. After detailed deliberations, it was observed that continuance of Temporary Cinemas and the possibility of effecting land use change to make them permanent in situ in Delhi should be dealt on case to case basis. Accordingly it was decided that the present status of the temporary cinemas in terms of area, ownership details and existing/functioning activities in these premises, supported by photographs/documents may be obtained to examine the matter further.

Action: Concerned Directors (Plg.)

Item No.22/11:

Sub:Revised layout plan for CRPF Campus at Mahavir Nagar, New Delhi.

F.1(25)07/MP/

Director (Plg.) C&G, DDA presented the case. It was decided that CRPF will submit the revised proposal, ensuring optimum use of land and accommodating future requirement of housing and office spaces as per MPD-2021 provisions.

Action:Dir.(Plg.)C&G Zone.

DELHI DEVELOPMENT AUTHORITY  
(MASTER PLAN SECTION)  
6<sup>th</sup> FLOOR: VIKAS MINAR:  
NEW DELHI.

No: F.1(7)2011-MP | 247

Dt: 29/8/11

MINUTES OF 3<sup>rd</sup> TECHNICAL COMMITTEE MEETING HELD ON 11.8.2011 .  
LIST OF THE PARTICIPANTS IS ANNEXED.

Item No. 18/11:

Sub: Confirmation of minutes of 2<sup>nd</sup> Technical Committee Meeting held on 20.4.2011.

The minutes were forwarded to the members and no comments/observations has been received for any item. Therefore, the same were confirmed.

Item No.19/11:

Sub: Development of Knowledge Based Industrial Park (KBIP) at Baprola by DSIIDC in Zone K-I.

F.3(47)2011/MP

The proposal was explained by Director (Plg.) DWK and the presentation was given by the officers of DSIIDC. After detailed deliberations, it was decided that the modifications as proposed in the Agenda at Para 4.0 may be processed under Section 11(A) of DD Act '1957 for change of land use with the condition that DSIIDC will implement the project strictly as per the activities permitted in the 'Industrial' Use Zone under MPD-2021 and further actions as identified in para 4 of the Agenda. Accordingly the name of the project will also be changed from 'Knowledge Based Industrial Park' to 'Industrial Park'.

Action: Director(Plg.(Dwarka)

Item No.20/11:

Sub: Relaxation in permissible Setbacks for existing building at Plot No.M-17, Green Park, New Delhi.

F.3(36)/2010/MP/

//The proposal for relaxation in set backs from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the set backs are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Coverage on the said plot is 75% as per MPD-2021.

21-  
Before Sh. A.K. Sarpal  
Appellate Tribunal M.C.D.  
Room no. 28, New Courts  
The Hazrat, Delhi  
Appellate No. 491/AT.M.C.D.I.....12

Rajesh Kumar Gupta & An  
V/S  
State



A.No.491/12

05.05.2014

Present: Sh. K.N.Singh, counsel for appellant.  
Sh. Ajay Arora, Standing Counsel for MCD  
alongwith Sh. Mohit Sharma and Sh. Shashi  
Kant Sharma counsels for MCD and Sh.  
Sudhir Mehla, EE(BHQ) alongwith Sh.  
Joginder Singh, AE(BHQ) in person.  
Sh. P.K. Aggarwal and Sh. Sanjay Sharma  
counsels for DDA.

Vakalatnama on behalf of DDA filed.

There are two connected matters pertaining to the  
same property. On behalf of the respondent MCD it is stated  
that after considering the clarifications received from the  
DDA dated 15.01.2014, it has been decided that the MCD  
will take action in accordance with the said report for the  
time being and in case DDA in future wants to take a  
different stand then MCD will also act accordingly.

The DDA clarification dated 15.01.2014 leads to the  
inference that a relaxation in preceding to preceding  
category set backs was given in respect of property number  
M-17, Green Park, as a special case after freezing the  
ground coverage and that benefit is now not permissible in  
future similar matters. The decision of the DDA in respect of  
that property was a specific case and not a general  
instructions or decision. However, nothing is mentioned in  
the clarification or in the accompanying documents what  
was the special circumstances that exceptional benefits  
were given to the owner of that property.

Appellant is claiming the similar benefit on the  
ground of parity but it appears also that the above benefit  
was given perhaps wrongly and in violation of the provisions  
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of that property number M-17, Green Park, or due to some  
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wrong once done whether intentionally or by mistake can



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-28-

Annexure - II

OFFICE OF THE REGISTRAR APPELLATE TRIBUNAL, MCD  
ROOM NO. 29, TIS HAZARI COURTS, DELHI.

Dr. H. S. Singh  
25/7/14

388 /pounce  
31/7/14

Please find enclosed herewith copy of the order dated 05/5/14 passed by the Hon'ble Tribunal in bearing appeal no. 491 /ATMCD/ 12 title as Rajesh Kumar Gupta & An vs S DMC in respect of property no. C-75, Shivaji Park, N-D-26

For compliance and necessary action. (N.D.O.H./D.O.D:- 29/8/14)

(G.R. Verma)  
Registrar

Appellate Tribunal, MCD, Delhi.

1. The Monitoring Committee,  
India Habitat Centre,  
6A, Lodhi Road, Delhi
2. The Deputy Commissioner,  
Zone,  
Delhi Municipal Corporation,  
Delhi
3. The Executive Engineer (Bldg.),  
Zone,  
Delhi Municipal Corporation,  
Delhi

The Director  
(Planning)

D.P.A.  
Chief P.L.

for

9/9/14

DOTH

① V.H. Singh  
DDMP & DC I

P.L. brief the P/L  
As per proceedings  
i.e. meeting held

31/07/14

Director P.L. M.P.

By Director (P.L.) AP-2  
F-3 zone  
P.L. called.

may P.L. see the attached order of the Appellate Tribunal dated 5/5/14. Reference is made towards letter dated 15/01/2014 of DDA which relation in preceding to preceding category set back was given. As per 'x' of the order counsel for DDA, Com. v. SH R. BHARTI provided to be counsel. 1.1 - P

31-  
ANNEXURE III  
20/8  
30/7/14

SOUTH DELHI MUNICIPAL CORPORATION  
TOWN PLANNING DEPARTMENT

E-Block, 21<sup>ST</sup> Floor, Civic Centre, Minto Road, New Delhi-110002

No: TP/5/SDMC/2014/5061

Dated. 28/7/14

Sh.R.K.Jain,  
The Addl. Commissioner (Plg.)  
Delhi Development Authority,  
Vikas Minar, I.P. Estate,  
New Delhi.

Sub:- Discussion during the meetings chaired by Vice -Chairman/DDA on 21.07.2014

Sir,

In the above referred meeting the following issues were discussed:-

- A. Stilt parking in the Residential Plot – Plotted Housing as a follow up of the High Court Orders dated 29.05.2014 in the matter of P.K. Chatterjee v/s Union of India.
- B. Relaxation of the setbacks from preceding to the preceding category of the Residential plot to achieve the Master Plan FAR and the ground coverage w.r.t. MCD court case on the subject.
- C. Development of scheme by Standard plan or modification in scheme as per development control norms of Master Plan for Delhi-2021.

Vice-Chairman desired a written reply on behalf of SDMC on the above issues. On stilt parking a detail status report along with the affidavits as filed by SDMC and MOUD is enclosed.

Besides the Hon'ble Leader of House of SDMC Sh. Subhash Arya has also requested that stilt parking should not be insisted on narrow lanes/non-trafficable roads because on such roads the movement space for vehicles for parking under stilts is not available.

As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by the Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

As regards the development control norms for shop cum residential plots, the opinion on behalf of MCD is already before the Technical Committee and the same is reproduced below:-

"It is suggested that on all shop-cum-Residential plots (pre 1962 or after 1962) the Residential Development Control Norms shall be applicable whether such Shop-cum-Residential Complex are designated as LSC (under MPD-2001/2021) or not. The Residential Norms shall be applicable at the time of sanction of bldg. Plans on individual plots or addition/alteration on individual plots. The parking charges shall be charged as per Mixed Use policy for providing parking in the vicinity. The Standard Plans shall be revised as per the provisions of MPD-2021 with the Development Control Norms as applicable for Residential Plots. The Basement area may be used for Commercial purpose subject to payment of charges as per Mixed Use Regulations".

Earlier necessary action on the issues are requested for.

Encl:-As above

Yours faithfully,

*Shamsher Singh*  
Chief Town Planner  
SHAMSHER SINGH  
Chief Town Planner  
25/7/14

Copy to :-

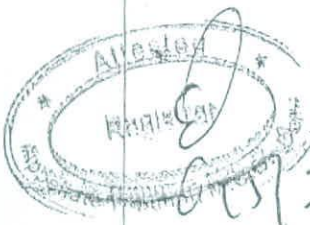
1. Leader of House/SDMC-for kind information.
2. P.S. to Commissioner/SDMC for kind information..
3. SE(B)/SDMC
4. SE(B)/NDMC



Contd.



S. No.	Date	Order
		<p>not be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.</p> <p>Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be a possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal, in case he is not given the same benefit on the ground of parity. In that eventuality atleast the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park, who was apparently not at fault but might be suffering due to wrong decisions of the DDA.</p> <p>Counsel for DDA wants to seek instruction from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.</p> <p>Appellant also wants to consult some architect and structural engineer to find out whether there is any solution of rectification of the property in such a manner that the less damage is caused to it and proceeding category set back is achieved if for the sake of arguments it is presumed that the benefit of parity is not given to him even by the Hon'ble High Court in writ petition.</p> <p>Put up this matter on 29.08.2014 for further proceedings. Copy of the order be sent to Director (Planning) DDA and one copy be given Dasti to Counsel for DDA. Interim stay is extended till next date.</p> <p>(ASHWANI SARPAL) Appellate Tribunal/MCD</p>







DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (12) 2014/MP/ 354

Date: 13.10.2014

Sub: Minutes of the 12<sup>th</sup> Technical Committee held on 24-09-2014

Item No. 59/2014

#### Confirmation of Minutes

The Minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were circulated to all the members. The observation have been received for Item No. 53/2014 and 56/2014 which are as follows:

Item No. 53/2014

Chief Town Planner (SDMC) vide letter no. TP/G/SDMC/2014/5388 dated 18.09.2014 and Addl. Commr. (Plg) Infrastructure & UC vide note No. F.3 (2) 2006/MP/Vol.I/ dated 19.09.2014 have raised some observations. Chief Town Planner (SDMC) informed that the entire land is govt. /local bodies land and therefore, the change of land use may be processed. Accordingly the minutes of the Item No. 53/2014 have been modified which are as under:-

*"The proposal was presented by Chief Town Planner (SDMC), after detailed deliberation the Technical Committee agreed for the proposal of the redevelopment plan of Parda Bagh" Considering the decision already taken in MCD and recommended the proposal for Change of land use under section 11-A of DD Act 1957.*

Action Dir. (Plg) Zone A & B  
Chief Town Planner (NDMC)

Item No. 56/2014

- i) Addl. Commr. (MP&UE) has requested for modification in the minutes for item NO. 56/2014 stating that, there are no provision for relaxation of set back from preceeding to preceeding category in residential - plot/ plotted housing in MPD-2021. Therefore, it will require modification in the Master Plan - 2021. Accordingly minutes for item no. 56/2014 has been modified which are as under.

*"The proposal was presented by Director (Plg) MP after detailed deliberation Technical Committee recommended the proposal for further processing under section 11 of DD Act 1957 for modification in MPD-2021."*

Action: Director (Plg) MP

The minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were confirmed with above modifications.

#### 4. STATUS REPORT

The information based on the format provide by MoUD vide letter dated 07.04.2015 is given below:

Sl.No		Status
I.	Whether the land is government or private and who is the land owning agency?	Land acquired and possession with DDA for planned development of Rohini Ph.-III, IV & V. Land is available and with Engineering Wing DDA.
II.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	A request from RWA's has been received for development of Sports Complex in this area. At present DDAs Sport Complex is located opposite Sector-IX. As per ZDP for Zone-M, Sports Facility has been proposed in Sector-34 which is located at distance of about 5-6 km & is yet to be developed.
III.	Whether a responsible office from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Total Station Survey has been provided by the Engineering Wing. The site has been inspected by Dy. Director(Plg.), Dy. Director (Survey) of Rohini Project. The site is without any development.
IV.	What is the public purpose proposed to be served by modification of MPD and/or change of land use?	This facility will cater to the population residing in Sectors-20 to 25 and population of Sector-32, 36, 37, 38 where the plots have been allotted recently.
V.	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal is within the provision of MPD-2021. The FAR & Ground coverage for Sports facility is comparatively low and will also provide for large open spaces & landscape areas with tree plantation.
VI.	What will be proposal's impact/implications on general public e.g. Law & order etc.?	This will be additional facility for the general public & will not have any impact on Law & order.
VII.	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	The scheme for this area has been prepared in 2004 and Total Station Survey has been provided by the Engineering Wing in 2014. No court case/ownership dispute has been reported.

#### 5. PROPOSAL

The following modifications is proposed in Master Plan for Delhi-2021 & Zonal Development plan for Zone-M under Section-11-A of DDA Act 1957.

Location	Area (in Ha.)	Landuse (as per MPD-2021 & ZDP of Zone-M)	Proposed Landuse	Boundaries
Sector-33 Rohini, Ph-IV.		Recreational	Public & Semi Public Facilities. (PS3) Sports Facilities/ Complex/ Stadium/ Sports Centre	North- Sector-32, Rohini. East- 30.0 m. wide green belt, and 80.0 m wide road R/W(UER-III) South- Under Ground Reservoir (existing) West- Sector-33, Rohini.



Subject: Proposed Sports Complex in Sector-33 (Ph-Iv & V), previous Sector-23 (Ph-III).

R.20(18)/2015-MP

### 1. BACKGROUND

- I. A request from Confederation of RWAs of Sector-20 to 25 of Rohini has been received, forwarded by Hon'ble Member of Parliament for development of Sports Complex in this area. It has been forwarded by Raj Niwas.
- II. As per approved composite plan of sector-20 to 25, Rohini (Ph-III) the site under reference has been earmarked for Recreational purpose.
- III. The plan prepared by Landscape unit was approved in 231<sup>st</sup> Screening Committee held on 15.03.2004 vide item no. 33:2004 with the direction that "No construction shall be carried out in the Sport center only open field and jogging track shall be developed".
- IV. The Sports Complex plan approved on 15.03.2004 facilities such as open field/ courts for various sports, Swimming Pool, Multi Gym etc.
- V. As per the Scheme for Rohini Phase-IV and V, the area under reference has been re-designated as part of Sector-33, Rohini.

### 2. MPD-2021 PROVISIONS.

- i. The land use as per MPD 2021 and notified ZDP of Zone-M is 'Recreational' where only Sports Activity, Play Ground, Amenity Structures are permitted.
- ii. As per MPD-2021 the Sports facilities are categorized under Chapter-13, Social Infrastructure. As per MPD-2021, Sports Facilities/ Complex/Stadium / Sports Centre are categorized under land use "Public and Semi-public Facilities".
- iii. The proposed Sports facility will be covered under District Sports Centre catering for a population of 5 lakhs and above. Development Control Norms as per para 13.3.3 are reproduced below.

Maximum ground coverage	20% including amenity structures
Max. FAR	40
Height	NR (Subject to clearance from AAI, Fire Dept. and other statutory bodies).
Parking	2 ECS/ 100 sqm of floor area.

### 3. EXAMINATION

- I. Total Station survey has been provided by Engineering Wing for the area under reference, green belt etc. measuring about 21.62 ha. This has been forwarded by Dy. Dir. (Arch.)-II vide letter No. F1(01)09/SA(R&N)/HUPW/DDA/39 dated 24.02.2015.
- II. The site is parallel to 80 m wide Urban Extension Road-III. ZDP for Zone-M has proposed two roads (30 and 40 m wide) for connecting proposed development in sector-33. This has been demarcated in Total Station survey. The area available for development of proposed District Sports Complex is 8.90 ha. The layout plan is enclosed as Annexure-I.
- III. In view of above this will require processing of modification in the land use of MPD-2021 and ZDP for Zone-M under Section-11-A of DDA Act 1957.





दिल्ली विकास प्राधिकरण  
DELHI DEVELOPMENT AUTHORITY  
रोहिणी योजना कार्यालय  
ROHINI PLANNING OFFICE

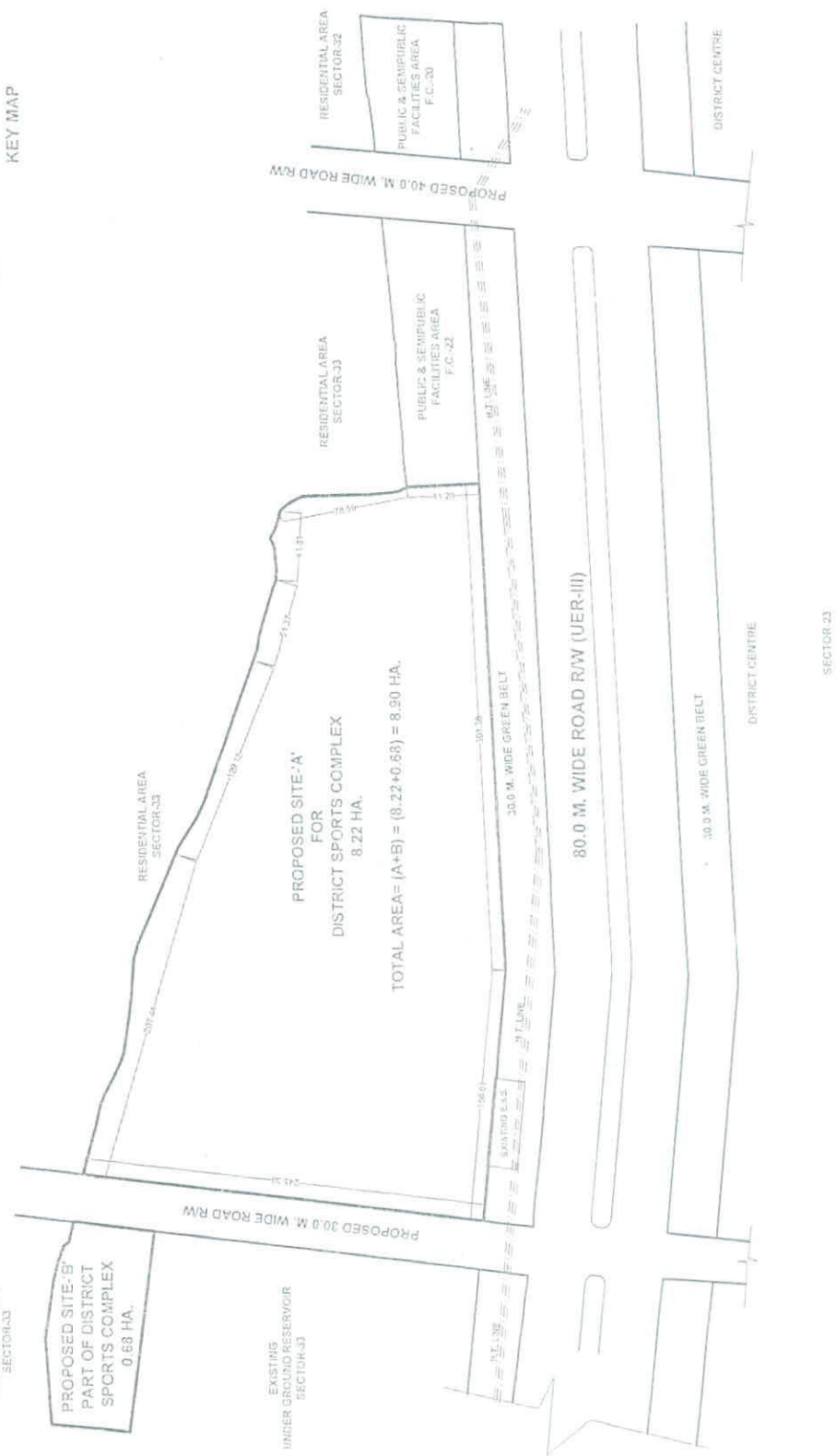
DETAIL OF CHANGE OF LAND-USE				
Location	Area (In Hect)	Land-use (as proposed) Agriculture Recreational	Proposed Land-use	Boundaries
Section-33, North 79-28-00	12.26 HA 3.90 HA	Recreational	Public & compatible facilities road 8'W (TFR II) Parkway/Campus/ Stadium/Sports Centre	North- Sector-32, South East - 30.0 m. wide Green Belt & 100.0 m. wide road 8'W (TFR II) South- Under Ground West- Sector-33, Rohini

1. THIS DRAWING IS BASED ON TOTAL STATION SURVEY FORWARDED BY  
DY. DIRECTOR, (ARCH.) IN WIDE LETTER NO.F10/309/SA(EN)/HUPW/DM/39  
DATED 24.02.2015

2. ALL DIMENSIONS ARE IN METERS.

ONLY WRITTEN DIMENSIONS ARE TO BE FOLLOWED.

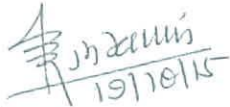
CHANGE OF LANDUSE FROM  
"RECREATIONAL" TO "PUBLIC & SEMIPUBLIC  
FACILITIES" (PS3) SPORTS COMPLEX IN  
SECTOR-33, ROHINI, PHASE-IV

[illegible]

Based on the consideration & recommendation of Technical Committee, the proposal will be placed before the Authority for processing under section-11-A of DD Act, 1957, for inviting objections/suggestion from the public.

#### 6. RECOMMENDATION

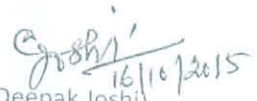
The proposal contain in para-5 is placed before the Technical Committee for consideration and approval please.

  
19/10/15

(Rajesh Kumar Jain)  
Director.(Plg.)Rohini  
Zone-'M'

  
16/10/15

(A.K. Malhotra)  
Dy.Dir.(Plg.)Rohini  
Zone-'M'

  
16/10/2015

(Deepak Joshi)  
Asstt.Dir(Plg.)Rohini  
Zone-'M'

#### 4. STATUS REPORT

The information based on the format provide by MoUD vide letter dated 07.04.2015 is given below:

Sl.No		Status
I.	Whether the land is government or private and who is the land owning agency?	Land acquired and possession with DDA for planned development of Rohini Ph.-III, IV & V. Land is available and with Engineering Wing DDA.
II.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	A request from RWA's has been received for development of Sports Complex in this area. At present DDAs Sport Complex is located opposite Sector-IX. As per ZDP for Zone-M, Sports Facility has been proposed in Sector-34 which is located at distance of about 5-6 km & is yet to be developed.
III.	Whether a responsible office from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Total Station Survey has been provided by the Engineering Wing. The site has been inspected by Dy. Director(Plg.), Dy. Director (Survey) of Rohini Project. The site is without any development.
IV.	What is the public purpose proposed to be served by modification of MPD and/or change of land use?	This facility will cater to the population residing in Sectors-20 to 25 and population of Sector-32, 36, 37, 38 where the plots have been allotted recently.
V.	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal is within the provision of MPD-2021. The FAR & Ground coverage for Sports facility is comparatively low and will also provide for large open spaces & landscape areas with tree plantation.
VI.	What will be proposal's impact/implications on general public e.g. Law & order etc.?	This will be additional facility for the general public & will not have any impact on Law & order.
VII.	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	The scheme for this area has been prepared in 2004 and Total Station Survey has been provided by the Engineering Wing in 2014. No court case/ownership dispute has been reported.

#### 5. PROPOSAL

The following modifications is proposed in Master Plan for Delhi-2021 & Zonal Development plan for Zone-M under Section-11-A of DDA Act 1957.

Location	Area (in Ha.)	Landuse (as per MPD-2021 & ZDP of Zone-M)	Proposed Landuse	Boundaries
Sector-33 Rohini, Ph-IV.		Recreational	Public & Semi Public Facilities. (PS3) Sports Facilities/ Complex/ Stadium/ Sports Centre	North- Sector-32, Rohini. East- 30.0 m. wide green belt, and 80.0 m wide road R/W(UER-III) South- Under Ground Reservoir (existing) West- Sector-33, Rohini.



Subject: Proposed Sports Complex in Sector-33 (Ph-Iv & V), previous Sector-23 (Ph-III).

R.20(18)/2015-MP

### 1. BACKGROUND

- I. A request from Confederation of RWAs of Sector-20 to 25 of Rohini has been received, forwarded by Hon'ble Member of Parliament for development of Sports Complex in this area. It has been forwarded by Raj Niwas.
- II. As per approved composite plan of sector-20 to 25, Rohini (Ph-III) the site under reference has been earmarked for Recreational purpose.
- III. The plan prepared by Landscape unit was approved in 231<sup>st</sup> Screening Committee held on 15.03.2004 vide item no. 33:2004 with the direction that "No construction shall be carried out in the Sport center only open field and jogging track shall be developed".
- IV. The Sports Complex plan approved on 15.03.2004 facilities such as open field/ courts for various sports, Swimming Pool, Multi Gym etc.
- V. As per the Scheme for Rohini Phase-IV and V, the area under reference has been re-designated as part of Sector-33, Rohini.

### 2. MPD-2021 PROVISIONS.

- i. The land use as per MPD 2021 and notified ZDP of Zone-M is 'Recreational' where only Sports Activity, Play Ground, Amenity Structures are permitted.
- ii. As per MPD-2021 the Sports facilities are categorized under Chapter-13, Social Infrastructure. As per MPD-2021, Sports Facilities/ Complex/Stadium / Sports Centre are categorized under land use "Public and Semi-public Facilities".
- iii. The proposed Sports facility will be covered under District Sports Centre catering for a population of 5 lakhs and above. Development Control Norms as per para 13.3.3 are reproduced below.

Maximum ground coverage	20% including amenity structures
Max. FAR	40
Height	NR (Subject to clearance from AAI, Fire Dept. and other statutory bodies).
Parking	2 ECS/ 100 sqm of floor area.

### 3. EXAMINATION

- I. Total Station survey has been provided by Engineering Wing for the area under reference, green belt etc. measuring about 21.62 ha. This has been forwarded by Dy. Dir. (Arch.)-II vide letter No. F1(01)09/SA(R&N)/HUPW/DDA/39 dated 24.02.2015.
- II. The site is parallel to 80 m wide Urban Extension Road-III. ZDP for Zone-M has proposed two roads (30 and 40 m wide) for connecting proposed development in sector-33. This has been demarcated in Total Station survey. The area available for development of proposed District Sports Complex is 8.90 ha. The layout plan is enclosed as Annexure-I.
- III. In view of above this will require processing of modification in the land use of MPD-2021 and ZDP for Zone-M under Section-11-A of DDA Act 1957.



दिल्ली विकास प्राधिकरण  
DELHI DEVELOPMENT AUTHORITY  
ग्रेडिंग योजना कार्यालय  
GRADING PLANNING OFFICE


Location	DETAIL OF CHANGE OF LANDUSE			Boundaries
	Area (in Hec.)	Landuse in 1956-57 (in Hec. or sq. ft.)	Proposed Landuse	
sector-33, Rohini	8.22 HA	Recreational	Public & Tempurite Facilities.	North- Sector-32, Rohini East - 30.0 m. wide Green Belt & 30.0 m. wide road R/W (J.R.R.II)
Phase-IV	8.90 HA	[PSD] Sports Complex	Sports Centre	South- Under Ground Service Road West- Sector-33, Rohini

NOTE:

- NOTE:  
1. THIS DRAWING IS BASED ON TOTAL STATION SURVEY FORWARDED BY  
OY DIRECTOR, JARCH 1-11-VIDE LETTER NO. 510199/S&R/WHUPW/EDM/39  
DATED 24.02.2015.  
2. ALL DIMENSIONS ARE IN METERS.  
3. ONLY WRITTEN DIMENSIONS ARE TO BE FOLLOWED.

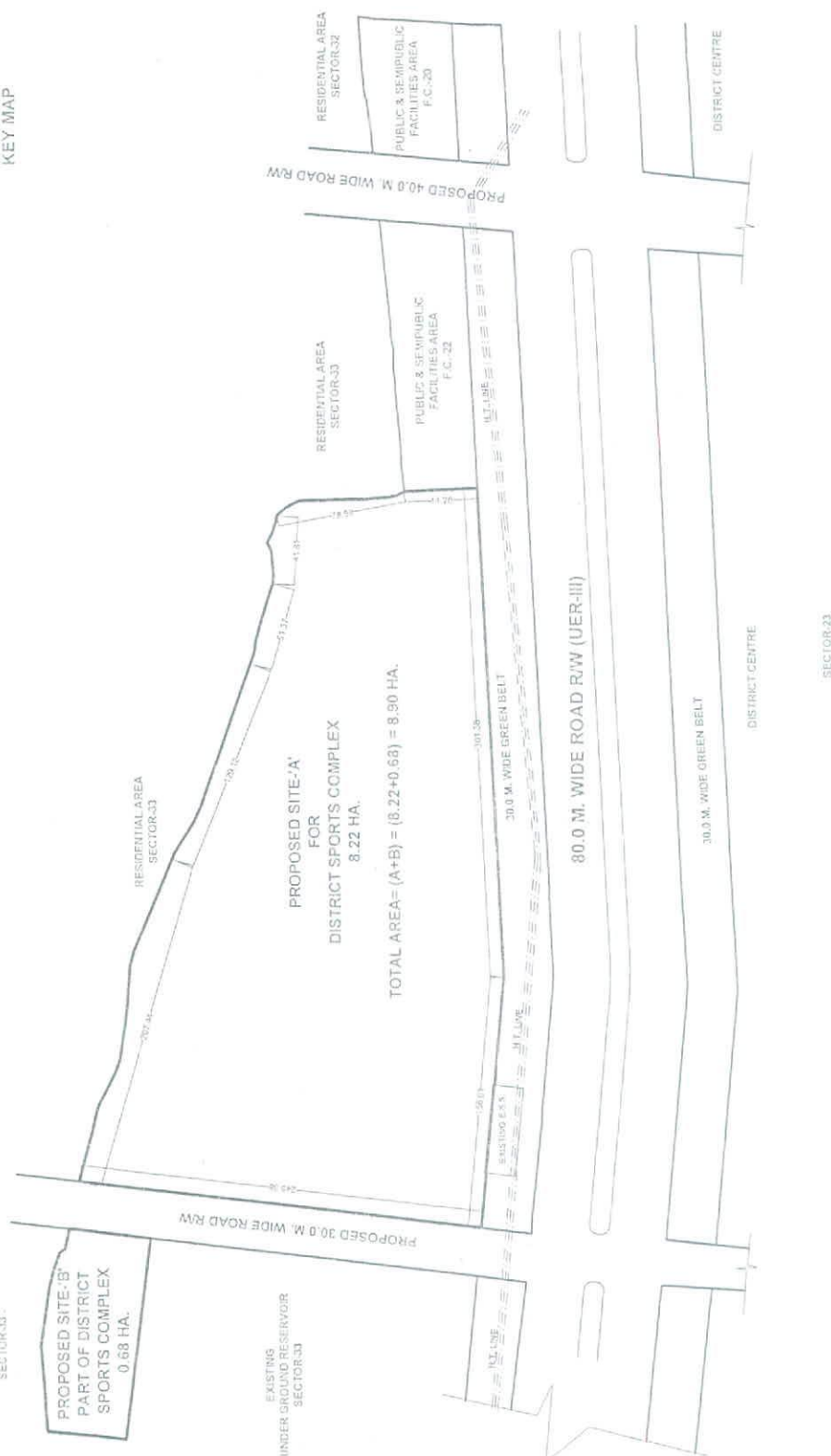
FILE NO.: DIR.PLC.W/013205

CHANGE OF LANDUSE FROM  
"RECREATIONAL" TO "PUBLIC & SEMIPUBLIC  
FACILITIES" (PS3) SPORTS COMPLEX IN  
SECTOR-33, ROHINI, PHASE-IV

	<p>NTS</p>	<p>10/10/2015</p>	<p>प्रीतिमान गणेशदास गणेशदास विद्यालया (प्रीतिमान)</p>
<p>प्रीतिमान गणेशदास गणेशदास विद्यालया (प्रीतिमान)</p>	<p>प्रीतिमान गणेशदास गणेशदास विद्यालया (प्रीतिमान)</p>	<p>प्रीतिमान गणेशदास गणेशदास विद्यालया (प्रीतिमान)</p>	<p>प्रीतिमान गणेशदास गणेशदास विद्यालया (प्रीतिमान)</p>



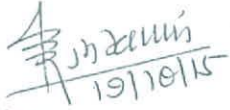
## KEY MAP



Based on the consideration & recommendation of Technical Committee, the proposal will be placed before the Authority for processing under section-11-A of DD Act, 1957, for inviting objections/suggestion from the public.

#### 6. RECOMMENDATION

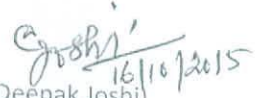
The proposal contain in para-5 is placed before the Technical Committee for consideration and approval please.

  
19/10/15

(Rajesh Kumar Jain)  
Director.(Plg.)Rohini  
Zone-'M'

  
16/10/15

(A.K. Malhotra)  
Dy.Dir.(Plg.)Rohini  
Zone-'M'

  
16/10/2015

(Deepak Joshi)  
Asstt.Dir(Plg.)Rohini  
Zone-'M'



due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake cannot be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.

- ii. Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal.
- iii. In that eventually at least the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park.
- iv. Counsel for DDA wants to seek instructions from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

1.5 In view of Para 4. above, the matter was discussed in the meeting held on 21.07.2014 under the Chairmanship of V.C., DDA wherein the officers of MCD & DDA were present, wherein it was decided to "to prepare a modification in MPD-2021 in para 4.4.3A where Para (c) may be added that in case the permissible ground coverage is not achieved in case of (a) above i.e. preceding category setback, the Technical Committee may consider further relaxation of setbacks".

1.6 With reference to above mentioned SDMC vide letter No. TP/G/SDMC/2014/5061 dt. 28.7.2014 submitted the following (Annexure-III): "As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

1.7 Accordingly, the matter was considered & approved in the Technical Committee in its meeting held on 02.09.2014 vide Item No. 56/2014 and the minutes of the same were confirmed in the next Technical Committee held on 24.08.2014 with certain modifications. The decision taken therein is as follows (Annexure-IV): "The proposal was presented by Director (Plg)MP after deliberation Technical Committee recommended the proposal for further processing under Section 11-A of DD Act, 1957 for modification in MPD-2021."

Sub: Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing.

File No. F.3(19)/2014-MP

#### 1.0 Background

- 1.1 The matter is regarding the proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing. As per MPD-2021, the provision for relaxation in setbacks for Residential Plotted Development and Other than Plotted Development are given in Para 4.4.3A point (x) and in the foot note under Table 17.1 respectively.
- 1.2 Earlier in the specific case of property No. M-17, Green Park the matter for relaxation of setbacks from preceding to preceding category was presented by MCD in the meeting of Technical Committee held on 11.8.2011 vide item No. 20/2011. After detailed deliberation the following decision was taken (Annexure-I): "The proposal for relaxation in setback from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the setback are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Category on the said plot is 75% as per MPD-2021. After the detailed discussion, Technical Committee agreed to the proposal with the provision that existing Ground Coverage (69%) as per drawing submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD".
- 1.3 Now, in the case of Rajesh Kumar Gupta vs SDMC for the property no. C-75, Shivaji Park under Appellate Tribunal of MCD, the appellant has claimed the similar benefit as mentioned in the point 2 above.
- 1.4 The above matter was deliberated before the ATMCD by MCD and DDA, wherein the following issues were highlighted in the order of ATMCD dt. 05.05.2014 (copy annexed as Annexure-II)
  - i. It appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or



1.8 Based on the recommendations of the Technical Committee draft agenda for Authority meeting was forwarded to the Hon'ble Lt. Governor, Delhi for its consideration in the Authority meeting vide this office note dated 17.10.2014. Hon'ble L.G., Delhi submitted the following observations on the draft agenda : "I see that the proposed draft agenda has been put up on the basis of one individual case where DDA took a wrong decision/ gave undue favour in violation of MPD norms. Even the order of Appellate Tribunal mentions the same. The proposed agenda is also silent with regard to conformity with the provisions of National Building Code & Building Bye-Laws. Views of Fire Deptt have also to be sought before the matter is placed before the Authority."

## 2.0 Follow-up action:

2.1 After discussion among the Sr. officers of Planning Wing, DDA, it is opined that at the first instance comments/ observations from the Legal Deptt., DDA may be obtained in this regard.

2.2 Accordingly the file was submitted to Legal Deptt., DDA and the following observations were received:

- i. The deptt. is under no legal obligation to process the matter further for modification in MPD-2021.
- ii. The earlier decision of Technical Committee if in contravention of the MPD norms then it is not legally tenable. Even the DDA counsel did not oppose observations of Hon'ble Court in the context.
- iii. The matter may be placed before the Technical Committee if deemed / appropriate for consideration of the matter in view of observation of the Hon'ble Court.

3.0 In view of the observation of the Legal Deptt. in para 2.0 above, the matter is placed before the Technical Committee for appropriate decision.

  
Asstt. Dir. (Plg.)/MP&DC

  
Dy. Dir. (Plg.)/MP

  
Director (Plg.)/MP



- 27 -

After the detailed discussion, Technical Committee agreed to the proposal with the proviso that existing Ground Coverage(69%) as per drawings submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD

Action:Ex.Engg.(Bldg.)South Zone MCD)

Item No.21/11:

Sub:Continuance of Temporary Cinemas in Delhi.

F.11(6)/74/MP/Pt.I

The item was presented by Director (Plg.) MP & Zone 'D', it was informed that the temporary cinemas which were continuing on license basis, for a long time, at various locations in Delhi, were not conforming to the land use provisions. The MPD-2001 had stipulated the conditions for continuation of temporary cinemas, subject to maximum capacity of 300 seats; minimum front right of way 18 mtrs; One car space per 25 seats; conformity to the Cinematography Act and levying of conversion charges, to be worked out by the Authority. However, the issue of continuance of temporary cinemas is not addressed in the MPD-2021. Several representations were received from time to time in this regard and the issue of permissibility of temporary cinemas on permanent basis was also raised in one of the Authority meetings by the non official members which was also placed before the Technical Committee.

In view of the directions of the Hon'ble Lt.Governor for processing the cases of existing temporary cinemas for regularization, the matter was again placed before the Technical Committee. After detailed deliberations, it was observed that continuance of Temporary Cinemas and the possibility of effecting land use change to make them permanent in situ in Delhi should be dealt on case to case basis. Accordingly it was decided that the present status of the temporary cinemas in terms of area, ownership details and existing/functioning activities in these premises, supported by photographs/documents may be obtained to examine the matter further.

Action: Concerned Directors (Plg.)

Item No.22/11:

Sub:Revised layout plan for CRPF Campus at Mahavir Nagar, New Delhi.

F.1(25)07/MP/

Director (Plg.) C&G, DDA presented the case. It was decided that CRPF will submit the revised proposal, ensuring optimum use of land and accommodating future requirement of housing and office spaces as per MPD-2021 provisions.

Action:Dir.(Plg.)C&G Zone.

DELHI DEVELOPMENT AUTHORITY  
(MASTER PLAN SECTION)  
6<sup>th</sup> FLOOR: VIKAS MINAR:  
NEW DELHI.

No: F.1(7)2011-MP | 247

Dt: 29/8/11

MINUTES OF 3<sup>rd</sup> TECHNICAL COMMITTEE MEETING HELD ON 11.8.2011 .  
LIST OF THE PARTICIPANTS IS ANNEXED.

Item No. 18/11:

Sub:Confirmation of minutes of 2<sup>nd</sup> Technical Committee Meeting held on 20.4.2011.

The minutes were forwarded to the members and no comments/observations has been received for any item. Therefore, the same were confirmed.

Item No.19/11:

Sub:Development of Knowledge Based Industrial Park (KBIP)at Baprola by DSIIDC in Zone K-I.

F.3(47)2011/MP

The proposal was explained by Director (Plg.) DWK and the presentation was given by the officers of DSIIDC. After detailed deliberations, it was decided that the modifications as proposed in the Agenda at Para 4.0 may be processed under Section 11(A) of DD Act '1957 for change of land use with the condition that DSIIDC will implement the project strictly as per the activities permitted in the 'Industrial' Use Zone under MPD-2021 and further actions as identified in para 4 of the Agenda. Accordingly the name of the project will also be changed from 'Knowledge Based Industrial Park' to 'Industrial Park'.

Action:Director(Plg.(Dwarka)

Item No.20/11:

Sub:Relaxation in permissible Setbacks for existing building at Plot No.M-17, Green Park, New Delhi.

F.3(36)/2010/MP/

//The proposal for relaxation in set backs from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the set backs are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Coverage on the said plot is 75% as per MPD-2021.

21-  
Before Sh. A.K. Sarpal  
Appellate Tribunal M.C.D.  
Room No. 28, New Courts  
Tis Hazari, Delhi  
Appeal No. 491/12

Rajesh Kumar Gupta & Anr  
V/S  
State



A.No.491/12

05.05.2014

Present : Sh. K.N. Singh, counsel for appellant.  
Sh. Ajay Arora, Standing Counsel for MCD  
alongwith Sh. Mohit Sharma and Sh. Shashi  
Kant Sharma counsels for MCD and Sh.  
Sudhir Mehla, EE(BHQ) alongwith Sh.  
Joginder Singh, AE(BHQ) in person.  
Sh. P.K. Aggarwal and Sh. Sanjay Sharma  
counsels for DDA.

Vakalatnama on behalf of DDA filed.

There are two connected matters pertaining to the same property. On behalf of the respondent MCD it is stated that after considering the clarifications received from the DDA dated 15.01.2014 it has been decided that the MCD will take action in accordance with the said report for the time being and in case DDA in future wants to take a different stand then MCD will also act accordingly.

The DDA clarification dated 15.01.2014 leads to the inference that a relaxation in preceding to preceding category set backs was given in respect of property number M-17, Green Park, as a special case after freezing the ground coverage and that benefit is now not permissible in future similar matters. The decision of the DDA in respect of that property was a specific case and not a general instructions or decision. However, nothing is mentioned in the clarification or in the accompanying documents what was the special circumstances that exceptional benefits were given to the owner of that property.

Appellant is claiming the similar benefit on the ground of parity but it appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake can



B



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Annexure - II

OFFICE OF THE REGISTRAR APPELLATE TRIBUNAL, MCD  
ROOM NO. 29, TIS HAZARI COURTS, DELHI.

Director (P.L.)  
Dr. H. S. S.  
25/7/14

388 / Pounce  
31/7/14

Please find enclosed herewith copy of the order dated 05/5/14 passed by the Hon'ble Tribunal in bearing appeal no. 491 /ATMCD/ 12 title as Rajesh Kumar Gupta & An vs S.D.M.C. in respect of property no. C-75, Shivaji Park, N-D-26

For compliance and necessary action. (N.D.O.H./D.O.D.- 29/8/14)

(G.R. Verma)  
Registrar

Appellate Tribunal, MCD, Delhi.

1. The Monitoring Committee,  
India Habitat Centre,  
6A, Lodhi Road, Delhi
2. The Deputy Commissioner,  
Zone,  
Delhi Municipal Corporation,  
Delhi
3. The Executive Engineer (Bldg.),  
Zone,  
Delhi Municipal Corporation,  
Delhi

The Director  
(Planning)

D.P.A.  
MCD P.L.

for

9/9/14

DOT

24/11/14  
DDMP & DC I

Pl. by the P/L  
As per proceedings  
i.e. MCD held

31/07/14

By Director (P.L.) AP-1  
F-3 zone  
be called.

Director (P.L.) M.P.

may please see the attached order of the Appellate Tribunal dated 5/5/14. Reference is made towards letter dated 15/01/2014 of DDA which relation in preceding to preceding category set back was given. As per 'x' of the order counsel for DDA, Com. as SH R. BHARTI provided to be counsel. 11 - P

31-  
ANTHONY III

20/8  
30/7/14

390  
31-7-14

**SOUTH DELHI MUNICIPAL CORPORATION**  
**TOWN PLANNING DEPARTMENT**

E-Block, 21<sup>ST</sup> Floor, Civic Centre, Minto Road, New Delhi-110002

No: TP/5/SDMC/2014/5061

Dated. 28/7/14

Sh.R.K.Jain,  
The Addl. Commissioner (Plg.)  
Delhi Development Authority,  
Vikas Minar, I.P. Estate,  
New Delhi.

Sub:- Discussion during the meetings chaired by Vice -Chairman/DDA on 21.07.2014

Sir,

In the above referred meeting the following issues were discussed:-

- A. Stilt parking in the Residential Plot - Plotted Housing as a follow up of the High Court Orders dated 29.05.2014 in the matter of P.K. Chatterjee v/s Union of India.
- B. Relaxation of the setbacks from preceding to the preceding category of the Residential plot to achieve the Master Plan FAR and the ground coverage w.r.t. MCD court case on the subject.
- C. Development of scheme by Standard plan or modification in scheme as per development control norms of Master Plan for Delhi-2021.

Vice-Chairman desired a written reply on behalf of SDMC on the above issues. On stilt parking a detail status report along with the affidavits as filed by SDMC and MOUD is enclosed.

Besides the Hon'ble Leader of House of SDMC Sh. Subhash Arya has also requested that stilt parking should not be insisted on narrow lanes/non-trafficable roads because on such roads the movement space for vehicles for parking under stilts is not available.

As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by the Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

As regards the development control norms for shop cum residential plots, the opinion on behalf of MCD is already before the Technical Committee and the same is reproduced below:-

"It is suggested that on all shop-cum-Residential plots ( pre 1962 or after 1962) the Residential Development Control Norms shall be applicable whether such Shop-cum-Residential Complex are designated as LSC (under MPD-2001/2021) or not. The Residential Norms shall be applicable at the time of sanction of bldg. Plans on individual plots or addition/alteration on individual plots. The parking charges shall be charged as per Mixed Use policy for providing parking in the vicinity. The Standard Plans shall be revised as per the provisions of MPD-2021 with the Development Control Norms as applicable for Residential Plots. The Basement area may be used for Commercial purpose subject to payment of charges as per Mixed Use Regulations".

Earlier necessary action on the issues are requested for.

Encl:- As above

Yours faithfully,

31/7/14

Shamsher Singh  
Chief Town Planner  
SHAMSHER SINGH  
Chief Town Planner

Copy to :-

1. Leader of House/SDMC-for kind information.
  2. P.S. to Commissioner/SDMC for kind information..
  3. SE(B)/SDMC
  4. SE(B)/NDMC
- 31/07/14



Contd.



S. No.	Date	Order
--------	------	-------

not be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.

Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be a possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal, in case he is not given the same benefit on the ground of parity. In that eventuality atleast the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park, who was apparently not at fault but might be suffering due to wrong decisions of the DDA.

Counsel for DDA wants to seek instruction from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

Appellant also wants to consult some architect and structural engineer to find out whether there is any solution of rectification of the property in such a manner that the less damage is caused to it and proceeding category set back is achieved if for the sake of arguments it is presumed that the benefit of parity is not given to him even by the Hon'ble High Court in writ petition.

Put up this matter on 29.08.2014 for further proceedings. Copy of the order be sent to Director (Planning) DDA and one copy be given Dasti to Counsel for DDA. Interim stay is extended till next date.



(ASHWANI SARFAL)  
Appellate Tribunal: MCD





DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (12) 2014/MP/ 354

Date: 13.10.2014

Sub: Minutes of the 12<sup>th</sup> Technical Committee held on 24-09-2014

Item No. 59/2014

**Confirmation of Minutes**

The Minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were circulated to all the members. The observation have been received for Item No. 53/2014 and 56/2014 which are as follows:

Item No. 53/2014

Chief Town Planner (SDMC) vide letter no. TP/G/SDMC/2014/5388 dated 18.09.2014 and Addl. Commr. (Plg) Infrastructure & UC vide note No. F.3 (2) 2006/MP/Vol.I/ dated 19.09.2014 have raised some observations. Chief Town Planner (SDMC) informed that the entire land is govt. /local bodies land and therefore, the change of land use may be processed. Accordingly the minutes of the Item No. 53/2014 have been modified which are as under:-

*"The proposal was presented by Chief Town Planner (SDMC), after detailed deliberation the Technical Committee agreed for the proposal of the redevelopment plan of Parada Bagh" Considering the decision already taken in MCD and recommended the proposal for Change of land use under section 11-A of DD Act 1957.*

Action Dir. (Plg) Zone A & B  
Chief Town Planner (NDMC)

Item No. 56/2014

- i) Addl. Commr. (MP&UE) has requested for modification in the minutes for item NO. 56/2014 stating that, there are no provision for relaxation of set back from preceeding to preceeding category in residential - plot/ plotted housing in MPD-2021. Therefore, it will require modification in the Master Plan - 2021. Accordingly minutes for item no. 56/2014 has been modified which are as under.

*"The proposal was presented by Director (Plg) MP after detailed deliberation Technical Committee recommended the proposal for further processing under section 11 of DD Act 1957 for modification in MPD-2021."*

Action: Director (Plg) MP

The minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were confirmed with above modifications.

Item No. 43/2015

Change of land use of site measuring 3.74 ha (9.25 acres) from "Residential" land use and "Public and Semi Public Facilities" (PS.I) to "Utility" (U-4) for Solid Waste Management facility located at Maidangarhi, near IGNOU Campus.  
F.3 (12)2014/MP

The proposal was presented by Director (Plg) Zone 'J'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg.) Zone 'J'

Item No. 44/2015

Delineation of NCZ as proposed in Revised draft Regional Plan-2021 pertaining to National Capital Territory of Delhi.

Regarding sites falling in Zone K-II Dwarka

F.15 (10)2015-MP

The proposal was withdrawn by Addl. Commissioner (Plg) UE & LP.

Item No. 45/2015

-Action: Director (Plg.) Dwarka

Proposed modifications in MPD-2021 regarding the area under waiting/ reception in the hospitals.  
F.13 (02)/2013-MP

The proposal was presented by Director (Plg) MP& DC. After detailed deliberation and incorporating the views of the Fire Deptt., GNCTD received vide letter no. F-6/DFS/MS/2015/2015 dt. 01.09.2015, the proposal as contained in the agenda as given below in column 4 was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957:

MPD - 2021			
1	2	3	4
Existing Provisions	Modifications approved in the T. C. Meeting held on 05.06.2015	Proposed Modifications	Amended Proposal
Table 13.2: Other Controls	Table 13.2: Other Controls	Table 13.2: Other Controls	Table 13.2: Other Controls
5. Common areas such as waiting halls, reception and fire stair cases shall be allowed free from FAR.	5. Fire stair cases shall be allowed free from FAR and maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area.	5. Fire stair cases shall not be counted in FAR and maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. In case it is used for activity other than waiting and reception area, the same shall be counted in FAR.	5. Maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. However, this area shall be taken into account for the provision of hospital parking as per norms.

-Action: Director (Plg) MP





ITEM 140.46/14/2010

- 1 -

DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (08) 2015/MP/ 278

Date: 01.09.2015

Subject: Minutes of the 8<sup>th</sup> Technical Committee held on 31.08.2015

The 8<sup>th</sup> meeting of Technical Committee was held under the Chairmanship of V.C., DDA on 31.08.2015. The List of the participants is annexed at 'Annexure- A'.

At the outset, members welcomed the Vice Chairman, DDA for chairing the first meeting of the Technical Committee after assuming charge.

Item No. 40/2015

Confirmation of Minutes:

Since no observations/ comments were received, the minutes of the 7<sup>th</sup> Technical Committee meeting held on 24.07.2015 were confirmed as circulated.

Addl. Commissioner (Plg.) TB & C informed regarding the modifications required in the minutes w.r.t. the Item no. 02/2015, sub-para (i) discussed in the 1<sup>st</sup> Technical Committee meeting held on 22.01.2015. It was informed that in the decision in the above minutes w.r.t. the item no. 02/2015 Sector-1 to 19 Rohini was inadvertently mentioned as Sector-1 to 9 Rohini. As this item already stands approved by the Authority in respect of Sector 1 to 19 Rohini, it was decided that the sub-para (i) of item no. 02/2015 may be read as under:

*"(i) Building activity of the development area No. 148 consisting Sector-1 to 19 Rohini (excluding the already de-notified area) be transferred to concerned Municipal Corporation."*

F.1 (07) 2015/MP

Item No. 41/2015

Proposed change of land use of an area measuring 809sq.m.allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket-V, DDU Marg from 'Residential (Nursery School)' to 'Public & Semi -Public facilities', falling in Planning Zone- D.

F.20 (02)/2015/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'

Item No. 42/2015

Proposed change of land use in respect of the area measuring 1.40 ha.(3.462 acres) from 'Residential' to 'Government Office' Proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning Zone- D.

F.3(68)/2008/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'



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Annexure -A

List of participants of 08<sup>th</sup> meeting for the year 2015 of Technical Committee on 31.08.2015

**DELHI DEVELOPMENT AUTHORITY**

1. Vice Chairr .., DDA
2. Engineer Member, DDA
3. Commissioner (Plg), DDA
4. Chief Architect, HUPW/DDA
5. Addl. Commissioner (Plg) TB&C, DDA
6. Addl. Commissioner (Landscape), DDA
7. Addl. Commissioner (Plg)AP, DDA
8. Addl. Commissioner (Plg.) UE&LP, DDA
9. Director (Plg) MP, DDA
10. Director(Plg.) Zone D
11. Director(Plg.) Zone J
12. Director(Plg.) GIS & Zone E&O
13. Dy. Director (Plg.) MPR
14. Dy. Director (Plg.) Dwarka

**OTHER ORGANIZATION**

1. Sh. A.M. Athale, Chief. Architect, NDMC
2. Sh. Mukesh Bajpai, Sr. Architect, MoHFW, Gol
3. Rajiv Kanaujia, Sr. Architect, CDB, MoHFW, Gol
4. Ms. Ritu Kapila, Architect, CPWD
5. Sh. Ashutosh Kumar Sahu, Architect, CPWD
6. Sh. Jugal Ahmed, Consultant, SDMC
7. Arunesh Upadhyay, SE(DEMS), SDMC
8. Sh. Devesh Chand, B.O/L & D.O
9. Sh. Sushil Kumar, Architect, NDMC
10. Virendra KUMAR, AE, CPWD
11. Sh. Rakesh Bhatia, ACP, Delhi Traffic Police

Officers of Fire Department, GNCTD telephonically regretted their absence during the meeting due to some other important appointments. It was decided that their views may be obtained before circulation of the minutes.

The meeting ended with thanks to the Chair.



(S.B. Khodankar)  
Director (Plg.) MP&DC

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr. (Plg.) MP&MPR, DDA
14. Addl. Commr. (Plg.) TB&C, DDA
15. Addl. Commr. (Plg.) AP, DDA
16. Addl. Commr. (Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC, NDMC, EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

- 6 -

*be either withdrawn or modified without the permission of this court. Now the Union of India has mooted a proposal which would necessarily mean modification of the said Circular dated 27.04.2011. The learned counsel for the DDA as well as the learned counsel for the South Delhi Municipal Corporation as well as the New Delhi Municipal Council have also been heard. They have stated that any modification that would be made to the Circular of 27.04.2011 would have to be done after following the due process of law. Ultimately, an order will have to be passed by the competent authority / authorities. We are not giving our views either way on the proposal. It is for the appropriate authorities and ultimately for the competent authorities to consider the same and to pass appropriate order in accordance with law. All that we are permitting is that the proposal for modification be carried through the process of consideration and ultimate decision on the same. The impediment which we had raised by virtue of our order dated 26.02.2013 on considering any modification, is now erased in the above terms.*

*Till a final decision is taken by the competent authority, the Circular dated 27.04.2011 shall continue to operate. If the petitioners are aggrieved by the ultimate decision that would be taken by the competent authority they would be at liberty to file a fresh petition. The learned counsel appearing on the side of the respondents have also stated that the process of modification would be taken up expeditiously. "*

- d) As a follow-up action on the Court order, a meeting was convened by the VC, DDA with the officers of Municipal Corporation of Delhi & DDA wherein a considered view emerged that in view of the provisions for handicaps and single family residing on a single plot, DDA may take up the following proposal for modifications in MPD-2021 as per DD Act, 1957 w.r.t. Stilt and parking provisions in para 4.4.3A. Residential Plot-Plotted Housing as under:

vii. Stilts:

- i) Stilt parking should not be mandatory on plots upto 200sq.mt.
- ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory.
- iii) For all plots, other than as provided in i. & ii. Above, provisions of stilt parking may be mandatory.

viii. Parking: Parking space shall be provided for within the residential plot as follows:

- a. 2 equivalent car space (ECS) in plot of size 250-300 sq.m.
- b. 1 ECS for every 100sq.m. built-up area, in plots exceeding 300 sq.m. provided that, if the permissible coverage and FAR is not achieved with the above -mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.



Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing

File No. F.20(20)2014/MP

### 1.0 Background

- a) MCD with prior approval of Hon'ble LG of Delhi, vide Circular No. CCIB/2011/D-79 dated 27.4.11 decided to make the provisions of stilt parking mandatory for the Residential Plot measuring 100sqm. and above.
- b) The matter was challenged in the Hon'ble High Court of Delhi as a part of court matter titled P. K. Chatterjee V/s Union of India and Ors. W.P.(C) 4598/2010 and CM Nos.2391/2013, 10246/2013, 12768/2013 and 1399.2014. Based on the various meetings, on the subject, Ministry of Urban Development, MCD and DDA submitted their affidavits in the Hon'ble High Court of Delhi. The formulation for provision of stilt parking in residential plots, as contained in the affidavits of MoUD and DDA, was as under:
  - Stilt floor for parking need not be provided in plot sizes upto 100 sq.m.
  - For plot sizes from 100 sq.m. upto 500 sq.m. stilt floor shall be mandatory to be used for parking of vehicles for more than 2 dwelling units.
  - For plot sizes of 500 sq.m. and upto 1000 sq m., stilt floor shall be mandatory where the number of dwelling units is more than 4.
  - In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site /sites for construction of multi storied car parks catering to the requirement of parking.
  - Parking lots may be developed under recreational areas subject to requisite clearance from the Department of Environment, GNCTD and using appropriate design and technology options to ensure that rainwater is harvested optimally and used for re-charging ground water aquifers.
- c) The matter was disposed off by the Hon'ble High Court of Delhi vide the following orders dt. 29.05.2014:

*"We have heard the learned counsel for the parties at length. The question is with regard to the Circular dated 27.04.2011 which was issued by the Chief Engineer (Building), MCD. Earlier we had passed an order on 26.02.2013 whereby we had directed that the said Circular should not*

5

the provision of Toilet on the stilt floor is being considered in Building Bye-laws under revision.

After detailed deliberation Technical Committee recommended the proposal as given in Para 3 of the Agenda for further processing to the Authority for modification to the MPD-2021 under section 11A of DD Act, 1957."

#### 4.0 Follow-up action:

Based on the recommendations of Technical Committee, the draft agenda for the Authority meeting was put up for approval of Hon'ble Lt. Governor, Delhi and in note on file Hon'ble Lt. Governor, Delhi observed the following:

- "1. When AC(TB&C), DDA informed that the provision of toilet on the stilt floor is being considered in the building bye-laws under revision, then how could the Technical Committee recommended the proposal for further processing to the Authority.
2. Before this matter is put up to the Authority for decision, a meeting should be convened at Raj Niwas to be attended by the officials of MCD, DDA and Director, Fire Service."

With respect to above observations of Hon'ble Lt. Governor, the matter was further discussed among the Senior officers of DDA and it was opined to modify the proposed modifications as under:

Chapter 4.0: Shelter		
Para 4.4.3 Control for Building / Buildings within Residential Premises		
A. Residential plot-Plotted Housing		
Existing Provisions	Proposal approved in Technical Committee meeting on 22.01.2015 vide Item No. 04/2015.	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	<p>vii. Stilts:</p> <p>i) Stilt parking should not be mandatory on plots upto 200sq.mt.</p> <p>ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory.</p> <p>iii) For all plots, other</p>	<p>vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. In the area under stilt which can not be utilized for parking, provision of toilet is permissible.</p> <p>Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be</p>

7



In addition to above existing paras a. & b. the following para c. to be added:

c. In respect of plotted development up to 100sq.m. , the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.

(e) During the course of meeting, South Delhi Municipal Corporation (SDMC) also has submitted a brief proposal as under:

*"a fresh proposal linking number of floors co-relating the same within the adequacy of parking provision as per Master Plan -2021 be mooted, which implies that if the proposal is for construction of ground floor and first floor (with or without basement), stilt provision should not be insisted upon, as parking / ECS requirement will be lesser, as compared to the proposals from ground floor to third floor requiring fulfillment of parking / ECS requirement".*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for Stilt Parking, for different plot sizes, are governed by the development control norms prescribed in the Chapter 4: Shelter under clause 4.4.3 i.e. Control for Building / Buildings within Residential Premises of MPD-2021 which are as follows:

### A. Residential Plot – Plotted Housing

vii. **Stilts:** If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.

viii. **Parking:** Parking space shall be provided for within the residential plot as follows:

- a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m.
- b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.

## 3.0 Decision of Technical Committee

The matter was discussed in the Technical Committee in its meeting held on 22.01.2015 vide Item No. 04/2015. The decision of the Technical Committee are as under:

*"It was suggested that Toilets may be permitted in the stilt as it is being permitted in many other cities, Addl. Commissioner (TB & C), DDA informed*



## Chapter 4.0: Shelter

### Para 4.4.3 Control for Building / Buildings within Residential Premises A. Residential plot-Plotted Housing

Existing Provisions	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. <b>In the area under stilt which can not be utilized for parking, provision of toilet is permissible.</b> Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above - mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. <b>Parking:</b> Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

6.0 The proposal as contained in para 5.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act.1957.



Asstt. Dir. (Plg.)/MP&DC



Dy. Dir. (Plg.)/MP



Director (Plg.)/MP

- 4 -

building.	iii) For all plots, other than as provided in i. & ii. above, provisions of stilt parking may be mandatory.	story, stilt parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above - mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

#### 5.0 Proposal:

Based on the examination and observation of Hon'ble L.G., Delhi, the following modification are proposed to be made in MPD-2021 under Section-11A of DD Act, 1957.



1.5A meeting was held under the Chairmanship of Chief Secretary, Delhi on 12/3/2015 in compliance of the directions NGT order dated 26/02/2015 in Original Application No. 305 of 2013 titled, "Balam Singh Rawat vs. GNCTD & Ors." wherein following was decided with reference to the action on part of DDA:

*"as the Master Plan of DDA does not have provisions for TSDF, it was decided that DDA should make provisions in the Master Plan."*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for **Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi** prescribed in the Chapter 7: Industry, Annexure 7.0 (iii) Prohibited / Negative list of Industries, Chapter 9: Environment and Chapter 14: Physical Infrastructure in Para 14.6 Solid Waste under footnote of Table 14.6 of MPD-2021 which are as follows:

### 2.1 Chapter 7.0: Industry

In the list of Prohibited / Negative list of Industries annexed in Chapter 7 of MPD-2021:

*"Industries manufacturing the following shall be prohibited within National Capital Territory of Delhi. However, Environment Department, GNCTD in consultation with Industries Department, GNCTD shall take the final decisions to ascertain a particular activity / industry / factory to fall under the said list as per the parameters / norms set by the CPCB and adopted by the DPCC."*

Sl. No. 46 of the Prohibited / Negative list:

*'Hazardous waste processing viz. hospital / tertiary health care centre medical / industrial waste'*

Further, it is quoted in the note under the list of Prohibited / Negative list of Industries:

- i. A public utility service involving any of the activities referred to above shall be permitted subject to environmental laws.*
- ii. Further additions / alterations to the list of Prohibited Industries could be made if considered appropriate and in public interest by the Central Government to do so.*
- iii. However, continuity of any type of furnace shall be within set parameters of CPCB & DPCC."*

### 2.2 Chapter 9: Environment

*"A clear approach towards management of 4 types of wastes generated in Delhi, namely Solid Waste, Hazardous Waste, Bio-Medical Waste and Electronic Waste, should be adopted. The approach should take into account the need for adopting the Clean Development Mechanism (CDM) and the awareness of the carbon credits that can be earned and encashed through a planned and organized mechanism, to be developed for this purpose."*

2



Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi.

File No. F.20(08)2015/MP

## 1.0 Background

- 1.1 Secretary (Environment) cum-Chairman, Delhi Pollution Control committee (DPCC), GNCTD vide letter No. F12(367)/Env/MoEF CSS/10/881 dt.25.02.2013 addressed to VC,DDA, has requested *"to identified the appropriate sites for development of TSDF (Treatment, Storage& Disposal Facility) for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the public interest at large."*
- 1.2 Subsequently, Secretary (Environment) cum-Chairman, DPCC vide letter dated 04.07.2014 has again requested *"to identify and allot about 50 acres of land at appropriate sites for development of TSDF for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the larger public interest."*
- 1.3 In compliance to the directions of Hon'ble NGT passed vide order dt. 01.10.2014 in Original Application No. 305 of 2013 entitled, "Balam Singh Rawat vs. GNCTD & Ors." a meeting was convened by Secretary (Environment), GNCTD on 03.11.2014 with the Department of Environment of various neighbouring states i.e. Haryana, Uttar Pradesh & Rajasthan to discuss the issue regarding the sharing of existing TSDF sites in their states with Delhi. In the meeting it was observed that:  
*"Since it is important land related matter, the meeting must be chaired by a High Level Officer from Ministry of Environment and Forests, Government of India. Secretary (Environment), Govt. of NCT of Delhi further added that Ministry of Urban Development, Government of India, should direct DDA (the land owning agency in case of Delhi) to earmark and allocate suitable land for setting up of TSDF for Hazardous Waste of Delhi. Joint Advisor (PHE), Ministry of Urban Development, Government of India present in the meeting agreed to it."*
- 1.4 In response to D.O. letter dt. 12.12.2013 of Secretary (Environment) cum-Chairman, DPCC addressed to VC,DDA, the Planning Deptt., DDA vide letter No. F.3(03)2015-MP/134 dt. 10.03.2015 informed Secretary (Environment), GNCTD that the activities like hazardous waste processing is listed at Sl. No. 46 of the Prohibited / Negative list of Industries annexed with Chapter 7 i.e. Industry of MPD-2021. However, based on the notes quoted under the above list, Secretary GNCTD was requested to provide necessary comments / precise formulation in consultation with CPCB / DPCC for suitable incorporation in MPD-2021.

2

## 2.3 Chapter 14: Physical Infrastructure

"The other type of specialised waste includes biomedical waste; hazardous waste from industries; construction debris and fly ash; meat processing centre etc. Disposal of bio-medical waste is to be as per bio-medical waste rules and hazardous waste requires special handling according to hazardous waste handling rules. Proper dumping, recycling and reuse of construction debris and fly ash have to be linked. Meat processing centre waste is to be recycled for chicken feed etc.

Further, some more viable alternatives to landfills are vermiculture, fossilisation, composting etc. Waste Minimisation Circles (WMCs) should be constituted and made effective. Implementation and monitoring & Bio-Medical Wastes (Handling & Management) Rules, 1998, for hospitals, tertiary health care centres, nursing homes, and clinics should be taken up. The sites, which are filled up or are in operation, are given in Table 14.7. The filled up sites may be reused for plantation or as recreational area. The proposed sites for sanitary landfill and compost plants are to be finalised by the MCD."

## 3.0 Proposal:

In view of the decision taken in a meeting held under chairmanship of Chief Secretary, GNCTD referred in para 1.5 above, the following modification in MPD-2021 is proposed to be processed under Section 11-A of DD Act, 1957 for issuing the public notice inviting objections / suggestions from public:

MPD 2021	
Chapter 7.0-Industry	
Annexure III: Prohibited / Negative List of Industries	
Existing Provisions	Proposed Modifications
46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste	46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste. (However, modern hazardous waste processing plant with latest technology shall be permitted subject to all clearances including environmental clearances from concerned agencies. These will be dependent strictly on the need of the NCT of Delhi.)

4.0 The proposal as contained in para 3.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act, 1957.

Asstt. Dir. (Plg.)/MP&DC

Dy. Dir. (Plg.)/MP

Director (Plg.)/MP



- 2.5 As per table 8.2 of MPD-2021, the Development Control Norms for the 'Government Office' as per MDP-2021 area are as under.

Category	Ground Coverage	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Activities permitted
Integrated Office Complex	30	200	NR, subject to approval of AAI, Fire Department and other statutory bodies	1.8	Government Offices, Watch And Ward Residence/ Residential Maintenance Staff (Maximum 5% of FAR), Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)

### 3.0 JUSTIFICATION & PUBLIC PURPOSE TO BE MET THROUGH THIS PROPOSED CHANGE OF LAND USE

#### 3.1 Justification & Public Purpose to be met

1. The land has been allotted by Land & Development Office (L & DO) to the Ministry of New and Renewable Energy for the construction of 'Akshay Urja Bhawan'.
2. As per the report received from MNRE, it is mentioned that *MNRE is the nodal Ministry of Govt. of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of Energy to supplement energy requirements of the country. MNRE is having its main office in Block 14 of CGO Complex. Apart from this, due to paucity of space in Block 14, some other branches are functioning from Block 3 and Paryavaran Complex in CGO Complex. The senior officers are sitting in two differently located buildings sometimes; it becomes difficult to interact with them particularly as and when any emergency situation arises.*

*Keeping in view the growing importance of energy sector and the fact that proper working conditions are absolutely necessary for human resource to be more productive, Government is also committed to give thrust to renewable sources of energy in order to reach 120 crore population in the country. Being the nodal Ministry of the Government of India for all matters relating to new and renewable energy, the Ministry is promoting green campuses, green buildings and net zero energy buildings. In order to demonstrate all this, it is important that the building in which MNREs own office is located, has all the features of renewable energy which MNRE is promoting. Therefore, MNRE would like to construct an eco-friendly, energy efficient and net zero building.*



Sub: Proposed change of land use of an area measuring 1.12 ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' for the Ministry of New and Renewable, Government of India in Planning, Zone-D.

File No. F.20 (11)2015/MP

## 1.0 BACKGROUND

- 1.1 MoUD, GOI vide letter dated 18.05.2015 forwarded a letter dated 12.05.2015 received from the Ministry of New and Renewable Energy (MNRE), addressed to MoUD, GOI for necessary action regarding allotment of land for the construction of 'Akshay Urja Bhawan' in New Delhi.
- 1.2 Further, MNRE vide letter dated 23.06.2015 enclosing therewith Prime Minister Office reference dated 09.06.2015 requested L&DO, MoUD, GOI that necessary procedure for change of land use from 'Bus Terminal' to 'Government Office' may be initiated and the necessary approval for the change of land use be accorded.
- 1.3 L &DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis.

## 2.0 EXAMINATION

- 2.1 The site under reference falls in Planning, Zone-D and outside the 'Lutyens Bungalow Zone (LBZ)'.
- 2.2 The plot under reference is located opposite CGO Complex, New Delhi and adjacent to the proposed office building of National Investigating Agency.
- 2.3 As per MPD-2021, the land use of the site under reference is 'Residential' & as per approved Zonal Development Plan of Zone 'D' prepared under MPD-2001, the land use of the site under reference is 'Transportation (Bus Terminal)'.
- 2.4 As per L&DO allotment letter dated 12.06.2015, land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis' subject to the terms and conditions that the plot of land so allotted to MNRE for construction of 'Akshay Urja Bhawan' shall be used only for the purpose for which it is allotted and not be further transferred by MNRE.

#### 4.0 Proposal

##### Change of land use:

In view of L & DO letter dated 12.06.2015, the land use in respect of an area measuring 2.76 acres opposite to CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-D, may be changed from 'Residential' to 'Government (Govt. Office)' for the construction of Akshay Urja Bhawan under Section 11A of DD Act, 1957. The boundary description of the same is as follows (Refer location map and detail Survey plan at Annexure 'A'):

Location	Area	Land use as per MPD-2021/ ZDP	Land use Changed to	Boundaries
1	2	3	4	5
Proposed Akshay Urja Bhawan for the Ministry of New and Renewable Energy, opposite CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-'D'	1.12 ha. (2.76 acres)	As per MPD-2021 - 'Residential'	'Government (Govt. Office)'	North: Dayal Singh College South: 13.5 m wide Road and Pragati Vihar Hostel East: Proposed/ under construction NIA Building West: Lodhi Road Complex and Park
		As per approved Zonal Development Plan of Zone-D prepared under MPD-2001- 'Transportation (Bus terminal)'	'Government (Govt. Office)'	

#### 5.0 Recommendation

Proposal as given in para 4.0 above may be considered by the Technical Committee so that the proposed change of land may be processed further under Section 11A of DD Act, 1957.

  
Asstt. Director (Plg.)  
Zone-D

  
Dy. Director (Plg.)  
Zone-D

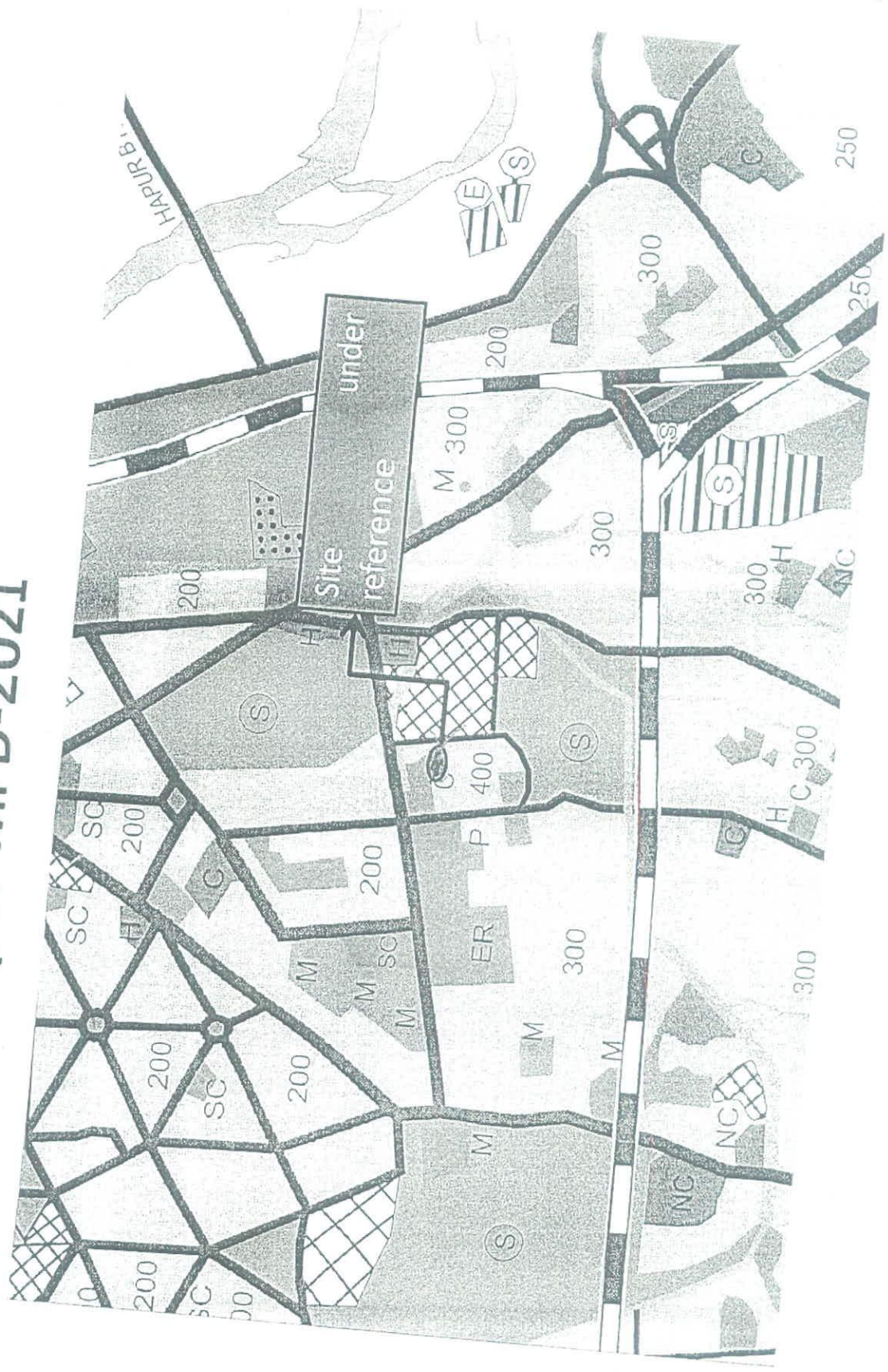
  
Director (Plg.)  
Zone-F, H & D

3.2 MOUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

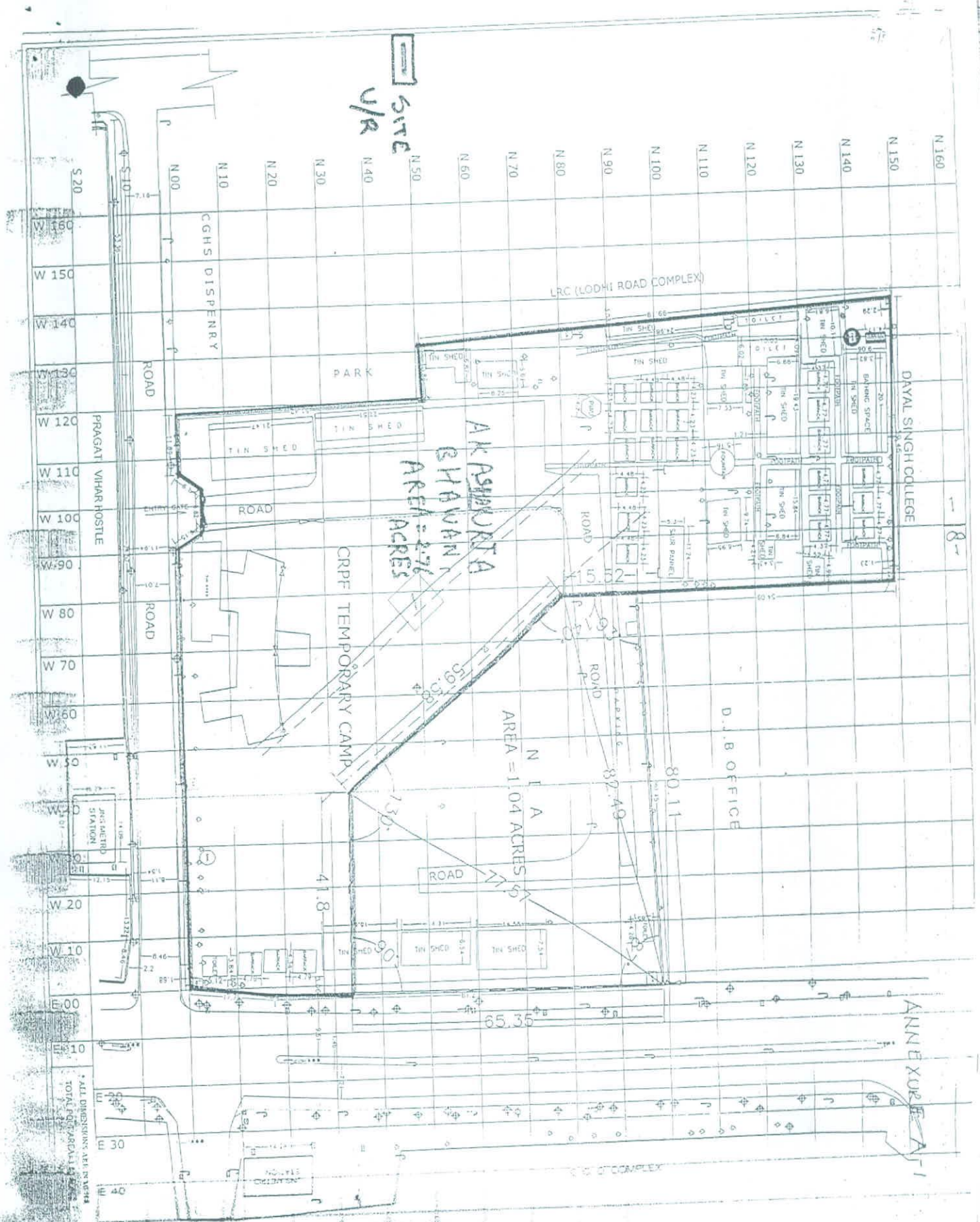
S.No.	Information asked by MOUD vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	It is a government land and is with Land & Development Office (L&DO), MoUD, GOI.
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	L&DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land to MNRE for the construction of 'Akshay Urja Bhawan'. On the basis of this, the proposed change of land use of the site under reference has been initiated.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	The site under reference was inspected by Addl. Commr. (Plg.) AP, Director (Plg.) F,H & D-Zone and Asstt. Director (Plg.) Zone -D on 14.10.2015. The report is as under: <ul style="list-style-type: none"> <li>At present, the site is accessible from Jawaharlal Nehru Marg having 45 m R/W. The entry to the site is through a 12.0 m wide road.</li> <li>There is a temporary structure of 'Golden Jubilee Hall' of CRPF on one side of the site and on the other side; there are tin sheds and barracks existing on the site and also, a fountain exists at the site.</li> <li>Some part of the site is maintained as green area.</li> </ul>
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	MNRE is the nodal Ministry of Government of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of energy to supplement energy requirements of the country and therefore, it is for larger benefit of the people at large.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	As such, no impact of proposal on the ZDP/ MPD.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	No adverse impact on law and order are anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	It relates to the land owning agency i.e. L&DO.



# Location as per MPD-2021







SITE  
u/r

AKASHAKATA  
BHAVAN  
AREA = 2.76  
ACRES

AREA = 1.04 ACRES

DAVAL SINGH COLLEGE

D.B. OFFICE

CRPF TEMPORARY CAMP

CGHS DISPENSARY

PRAGATI VIHAR HOSTILE

ANNEXURE A-1

LRC (LODHI ROAD COMPLEX)

ALL DIMENSIONS ARE IN METERS  
TOTAL DISTANCE 1.5 KM

#### 4. STATUS REPORT

The information based on the format provide by MoUD vide letter dated 07.04.2015 is given below:

Sl.No		Status
I.	Whether the land is government or private and who is the land owning agency?	Land acquired and possession with DDA for planned development of Rohini Ph.-III, IV & V. Land is available and with Engineering Wing DDA.
II.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	A request from RWA's has been received for development of Sports Complex in this area. At present DDAs Sport Complex is located opposite Sector-IX. As per ZDP for Zone-M, Sports Facility has been proposed in Sector-34 which is located at distance of about 5-6 km & is yet to be developed.
III.	Whether a responsible office from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Total Station Survey has been provided by the Engineering Wing. The site has been inspected by Dy. Director(Plg.), Dy. Director (Survey) of Rohini Project. The site is without any development.
IV.	What is the public purpose proposed to be served by modification of MPD and/or change of land use?	This facility will cater to the population residing in Sectors-20 to 25 and population of Sector-32, 36, 37, 38 where the plots have been allotted recently.
V.	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal is within the provision of MPD-2021. The FAR & Ground coverage for Sports facility is comparatively low and will also provide for large open spaces & landscape areas with tree plantation.
VI.	What will be proposal's impact/implications on general public e.g. Law & order etc.?	This will be additional facility for the general public & will not have any impact on Law & order.
VII.	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	The scheme for this area has been prepared in 2004 and Total Station Survey has been provided by the Engineering Wing in 2014. No court case/ownership dispute has been reported.

#### 5. PROPOSAL

The following modifications is proposed in Master Plan for Delhi-2021 & Zonal Development plan for Zone-M under Section-11-A of DDA Act 1957.

Location	Area (in Ha.)	Landuse (as per MPD-2021 & ZDP of Zone-M)	Proposed Landuse	Boundaries
Sector-33 Rohini, Ph-IV.		Recreational	Public & Semi Public Facilities. (PS3) Sports Facilities/ Complex/ Stadium/ Sports Centre	North- Sector-32, Rohini. East- 30.0 m. wide green belt, and 80.0 m wide road R/W(UER-III) South- Under Ground Reservoir (existing) West- Sector-33, Rohini.



Subject: Proposed Sports Complex in Sector-33 (Ph-Iv & V), previous Sector-23 (Ph-III).

R.20(18)/2015-MP

### 1. BACKGROUND

- I. A request from Confederation of RWAs of Sector-20 to 25 of Rohini has been received, forwarded by Hon'ble Member of Parliament for development of Sports Complex in this area. It has been forwarded by Raj Niwas.
- II. As per approved composite plan of sector-20 to 25, Rohini (Ph-III) the site under reference has been earmarked for Recreational purpose.
- III. The plan prepared by Landscape unit was approved in 231<sup>st</sup> Screening Committee held on 15.03.2004 vide item no. 33:2004 with the direction that "No construction shall be carried out in the Sport center only open field and jogging track shall be developed".
- IV. The Sports Complex plan approved on 15.03.2004 facilities such as open field/ courts for various sports, Swimming Pool, Multi Gym etc.
- V. As per the Scheme for Rohini Phase-IV and V, the area under reference has been re-designated as part of Sector-33, Rohini.

### 2. MPD-2021 PROVISIONS.

- i. The land use as per MPD 2021 and notified ZDP of Zone-M is 'Recreational' where only Sports Activity, Play Ground, Amenity Structures are permitted.
- ii. As per MPD-2021 the Sports facilities are categorized under Chapter-13, Social Infrastructure. As per MPD-2021, Sports Facilities/ Complex/Stadium / Sports Centre are categorized under land use "Public and Semi-public Facilities".
- iii. The proposed Sports facility will be covered under District Sports Centre catering for a population of 5 lakhs and above. Development Control Norms as per para 13.3.3 are reproduced below.

Maximum ground coverage	20% including amenity structures
Max. FAR	40
Height	NR (Subject to clearance from AAI, Fire Dept. and other statutory bodies).
Parking	2 ECS/ 100 sqm of floor area.

### 3. EXAMINATION

- I. Total Station survey has been provided by Engineering Wing for the area under reference, green belt etc. measuring about 21.62 ha. This has been forwarded by Dy. Dir. (Arch.)-II vide letter No. F1(01)09/SA(R&N)/HUPW/DDA/39 dated 24.02.2015.
- II. The site is parallel to 80 m wide Urban Extension Road-III. ZDP for Zone-M has proposed two roads (30 and 40 m wide) for connecting proposed development in sector-33. This has been demarcated in Total Station survey. The area available for development of proposed District Sports Complex is 8.90 ha. The layout plan is enclosed as Annexure-I.
- III. In view of above this will require processing of modification in the land use of MPD-2021 and ZDP for Zone-M under Section-11-A of DDA Act 1957.



दिल्ली विकास प्राधिकरण  
DELHI DEVELOPMENT AUTHORITY  
रोहिणी योजना कार्यालय  
ROHINI PLANNING OFFICE

STATUS OF CHANGE OF LANDUSE				
Location	Area [ha]	Landuse (in use and rest in 1970 and 1980)	Proposed Landuse	Boundaries
Factor-32, Folton	8.22-65.8 0.20-0.8	Recreational	Public & semipublic facilities	North: Sector-12; Rahuri East: - 40.0 m. wide Green belt & 80.0 m. wide read 4/4V (UEP III)
Factor-IV Phase-IV			PS-33 sports club, multipurpose club and sports centre	South: Under Group III Sector-33 West: Sector-33; Rahuri

NOTE:

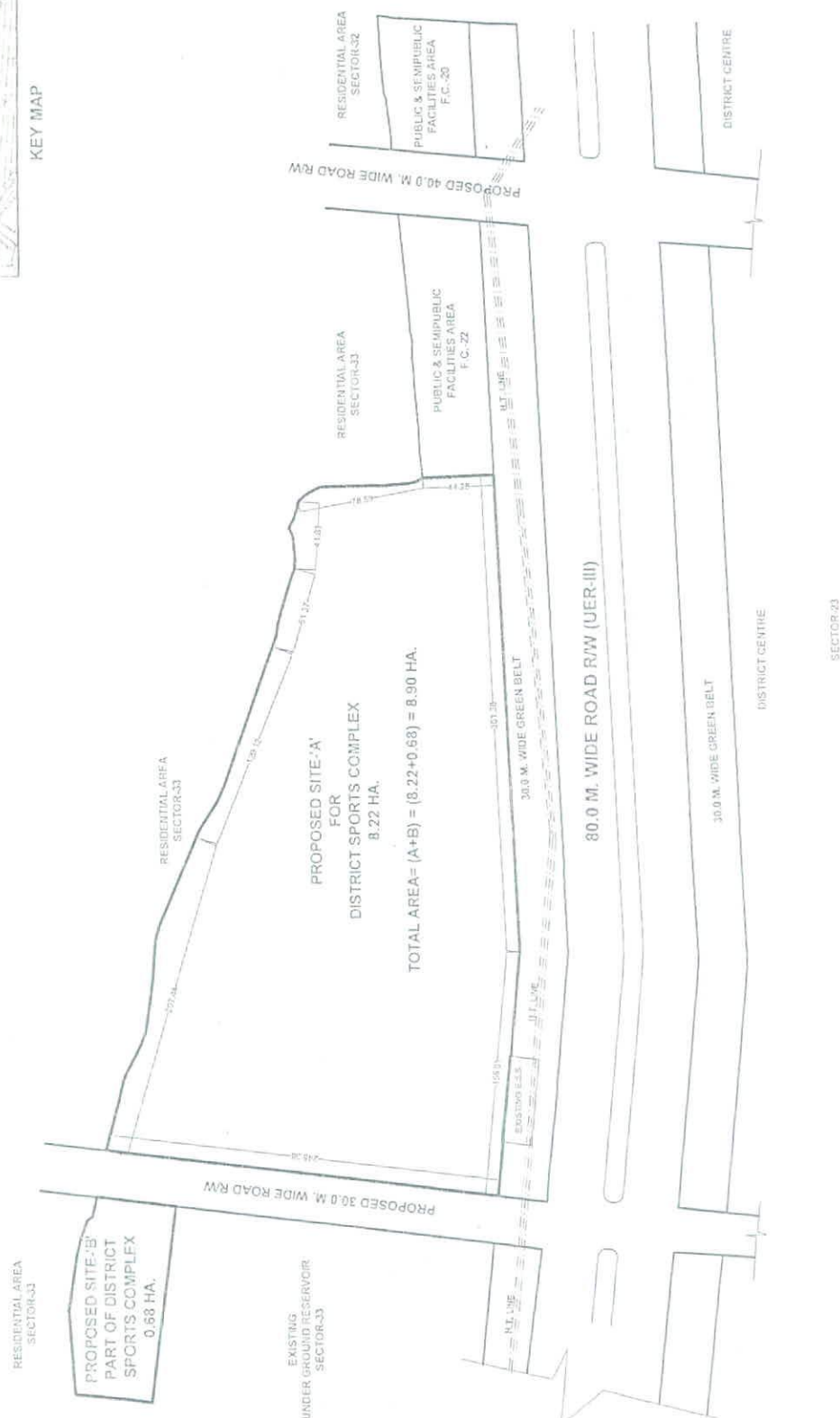
- NOTE: 1. THIS DRAWING IS BASED ON TOTAL STATION SURVEY FORWARDED BY  
DY DIRECTOR, [ARCH-1-I] VIDE LETTER NO.FI(01309)/SAREGA/HUPM/DOA/39  
DATED 24.02.2015.  
2. ALL DIMENSIONS ARE IN METRES.  
ONLY WRITTEN DIMENSIONS ARE TO BE FOLLOWED.

FILE NO.: DIR, CPL, G, R/4033/2005

CHANGE OF LANDUSE FROM  
"RECREATIONAL" TO "PUBLIC & SEMIPUBLIC  
FACILITIES" (PS3) SPORTS COMPLEX IN  
SECTOR-33, ROHINI, PHASE-IV

[illegible]

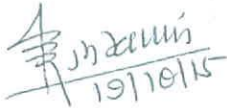
KEY MAP



Based on the consideration & recommendation of Technical Committee, the proposal will be placed before the Authority for processing under section-11-A of DD Act, 1957, for inviting objections/suggestion from the public.

#### 6. RECOMMENDATION

The proposal contain in para-5 is placed before the Technical Committee for consideration and approval please.

  
19/10/15

(Rajesh Kumar Jain)  
Director.(Plg.)Rohini  
Zone-'M'

  
16/10/15

(A.K. Malhotra)  
Dy.Dir.(Plg.)Rohini  
Zone-'M'

  
16/10/2015

(Deepak Joshi)  
Asstt.Dir(Plg.)Rohini  
Zone-'M'



- due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake cannot be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.
- ii. Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal.
  - iii. In that eventually at least the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park.
  - iv. Counsel for DDA wants to seek instructions from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

1.5 In view of Para 4. above, the matter was discussed in the meeting held on 21.07.2014 under the Chairmanship of V.C., DDA wherein the officers of MCD & DDA were present, wherein it was decided to "to prepare a modification in MPD-2021 in para 4.4.3A where Para (c) may be added that in case the permissible ground coverage is not achieved in case of (a) above i.e. preceding category setback, the Technical Committee may consider further relaxation of setbacks".

1.6 With reference to above mentioned SDMC vide letter No. TP/G/SDMC/2014/5061 dt. 28.7.2014 submitted the following (Annexure-III): "As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

1.7 Accordingly, the matter was considered & approved in the Technical Committee in its meeting held on 02.09.2014 vide Item No. 56/2014 and the minutes of the same were confirmed in the next Technical Committee held on 24.08.2014 with certain modifications. The decision taken therein is as follows (Annexure-IV): "The proposal was presented by Director (Plg)MP after deliberation Technical Committee recommended the proposal for further processing under Section 11-A of DD Act, 1957 for modification in MPD-2021."

Sub: Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing.

File No. F.3(19)/2014-MP

#### 1.0 Background

- 1.1 The matter is regarding the proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing. As per MPD-2021, the provision for relaxation in setbacks for Residential Plotted Development and Other than Plotted Development are given in Para 4.4.3A point (x) and in the foot note under Table 17.1 respectively.
- 1.2 Earlier in the specific case of property No. M-17, Green Park the matter for relaxation of setbacks from preceding to preceding category was presented by MCD in the meeting of Technical Committee held on 11.8.2011 vide item No. 20/2011. After detailed deliberation the following decision was taken (Annexure-I): "The proposal for relaxation in setback from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the setback are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Category on the said plot is 75% as per MPD-2021. After the detailed discussion, Technical Committee agreed to the proposal with the provision that existing Ground Coverage (69%) as per drawing submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD".
- 1.3 Now, in the case of Rajesh Kumar Gupta vs SDMC for the property no. C-75, Shivaji Park under Appellate Tribunal of MCD, the appellant has claimed the similar benefit as mentioned in the point 2 above.
- 1.4 The above matter was deliberated before the ATMCD by MCD and DDA, wherein the following issues were highlighted in the order of ATMCD dt. 05.05.2014 (copy annexed as Annexure-II)
  - i. It appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or



1.8 Based on the recommendations of the Technical Committee draft agenda for Authority meeting was forwarded to the Hon'ble Lt. Governor, Delhi for its consideration in the Authority meeting vide this office note dated 17.10.2014. Hon'ble L.G., Delhi submitted the following observations on the draft agenda : *"I see that the proposed draft agenda has been put up on the basis of one individual case where DDA took a wrong decision/ gave undue favour in violation of MPD norms. Even the order of Appellate Tribunal mentions the same. The proposed agenda is also silent with regard to conformity with the provisions of National Building Code & Building Bye-Laws. Views of Fire Deptt have also to be sought before the matter is placed before the Authority."*

**2.0 Follow-up action:**

2.1 After discussion among the Sr. officers of Planning Wing, DDA, it is opined that at the first instance comments/ observations from the Legal Deptt., DDA may be obtained in this regard.

2.2 Accordingly the file was submitted to Legal Deptt., DDA and the following observations were received:

- i. The deptt. is under no legal obligation to process the matter further for modification in MPD-2021.
- ii. The earlier decision of Technical Committee if in contravention of the MPD norms then it is not legally tenable. Even the DDA counsel did not oppose observations of Hon'ble Court in the context.
- iii. The matter may be placed before the Technical Committee if deemed / appropriate for consideration of the matter in view of observation of the Hon'ble Court.

3.0 In view of the observation of the Legal Deptt. in para 2.0 above, the matter is placed before the Technical Committee for appropriate decision.

  
Asstt. Dir. (Plg.)/MP&DC

  
Dy. Dir. (Plg.)/MP

  
Director (Plg.)/MP



- 27 -

After the detailed discussion, Technical Committee agreed to the proposal with the proviso that existing Ground Coverage(69%) as per drawings submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD

Action:Ex.Engg.(Bldg.)South Zone MCD)

Item No.21/11:

Sub:Continuance of Temporary Cinemas in Delhi.

F.11(6)/74/MP/Pt.I

The item was presented by Director (Plg.) MP & Zone 'D', it was informed that the temporary cinemas which were continuing on license basis, for a long time, at various locations in Delhi, were not conforming to the land use provisions. The MPD-2001 had stipulated the conditions for continuation of temporary cinemas, subject to maximum capacity of 300 seats; minimum front right of way 18 mtrs; One car space per 25 seats; conformity to the Cinematography Act and levying of conversion charges, to be worked out by the Authority. However, the issue of continuance of temporary cinemas is not addressed in the MPD-2021. Several representations were received from time to time in this regard and the issue of permissibility of temporary cinemas on permanent basis was also raised in one of the Authority meetings by the non official members which was also placed before the Technical Committee.

In view of the directions of the Hon'ble Lt.Governor for processing the cases of existing temporary cinemas for regularization, the matter was again placed before the Technical Committee. After detailed deliberations, it was observed that continuance of Temporary Cinemas and the possibility of effecting land use change to make them permanent in situ in Delhi should be dealt on case to case basis. Accordingly it was decided that the present status of the temporary cinemas in terms of area, ownership details and existing/functioning activities in these premises, supported by photographs/documents may be obtained to examine the matter further.

Action: Concerned Directors (Plg.)

Item No.22/11:

Sub:Revised layout plan for CRPF Campus at Mahavir Nagar, New Delhi.

F.1(25)07/MP/

Director (Plg.) C&G, DDA presented the case. It was decided that CRPF will submit the revised proposal, ensuring optimum use of land and accommodating future requirement of housing and office spaces as per MPD-2021 provisions.

Action:Dir.(Plg.)C&G Zone.

DELHI DEVELOPMENT AUTHORITY  
(MASTER PLAN SECTION)  
6<sup>th</sup> FLOOR: VIKAS MINAR:  
NEW DELHI.

No: F.1(7)2011-MP | 247

Dt: 29/8/11

MINUTES OF 3<sup>rd</sup> TECHNICAL COMMITTEE MEETING HELD ON 11.8.2011 .  
LIST OF THE PARTICIPANTS IS ANNEXED.

Item No. 18/11:

Sub: Confirmation of minutes of 2<sup>nd</sup> Technical Committee Meeting held on 20.4.2011.

The minutes were forwarded to the members and no comments/observations has been received for any item. Therefore, the same were confirmed.

Item No.19/11:

Sub: Development of Knowledge Based Industrial Park (KBIP) at Baprola by DSIIDC in Zone K-I.

F.3(47)2011/MP

The proposal was explained by Director (Plg.) DWK and the presentation was given by the officers of DSIIDC. After detailed deliberations, it was decided that the modifications as proposed in the Agenda at Para 4.0 may be processed under Section 11(A) of DD Act '1957 for change of land use with the condition that DSIIDC will implement the project strictly as per the activities permitted in the 'Industrial' Use Zone under MPD-2021 and further actions as identified in para 4 of the Agenda. Accordingly the name of the project will also be changed from 'Knowledge Based Industrial Park' to 'Industrial Park'.

Action: Director(Plg. (Dwarka))

Item No.20/11:

Sub: Relaxation in permissible Setbacks for existing building at Plot No.M-17, Green Park, New Delhi.

F.3(36)/2010/MP/

//The proposal for relaxation in set backs from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the set backs are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Coverage on the said plot is 75% as per MPD-2021.

21-  
Before Sh. A.K. Sarpal  
Appellate Tribunal M.C.D.  
Room No. 27, New Courts  
Tis Hazari, Delhi  
Appeal No. 491/AT.M.C.D.J. 12

Rajesh Kumar Gupta & An  
vs  
DDA



A.No.491/12

05.05.2014

Present : Sh. K.N.Singh, counsel for appellant.  
Sh. Ajay Arora, Standing Counsel for MCD  
alongwith Sh. Mohit Sharma and Sh. Shashi  
Kant Sharma counsels for MCD and Sh.  
Sudhir Mehta, EE(BHQ) alongwith Sh.  
Joginder Singh, AE(BHQ) in person.  
Sh. P.K. Aggarwal and Sh. Sanjay Sharma  
counsels for DDA.

Vakalatnama on behalf of DDA filed.

There are two connected matters pertaining to the  
same property. On behalf of the respondent MCD it is stated  
that after considering the clarifications received from the  
DDA dated 15.01.2014, it has been decided that the MCD  
will take action in accordance with the said report for the  
time being and in case DDA in future wants to take a  
different stand then MCD will also act accordingly.

The DDA clarification dated 15.01.2014 leads to the  
inference that a relaxation in preceding to preceding  
category set backs was given in respect of property number  
M-17, Green Park, as a special case after freezing the  
ground coverage and that benefit is now not permissible in  
future similar matters. The decision of the DDA in respect of  
that property was a specific case and not a general  
instructions or decision. However, nothing is mentioned in  
the clarification or in the accompanying documents what  
was the special circumstances that exceptional benefits  
were given to the owner of that property.

Appellant is claiming the similar benefit on the  
ground of parity but it appears also that the above benefit  
was given perhaps wrongly and in violation of the provisions  
of Master Plan to give some undue advantage to the owner  
of that property number M-17, Green Park, or due to some  
bonafide mistake. On behalf of the DDA it is stated that the  
wrong once done whether intentionally or by mistake can



'B'



OFFICE OF THE REGISTRAR APPELLATE TRIBUNAL, MCD  
ROOM NO. 29, TIS HAZARI COURTS, DELHI.

Dr. H. S. 7  
25/7/14

388 /pounce  
31/7/14

Please find enclosed herewith copy of the order dated 05/5/14 passed by the Hon'ble Tribunal in bearing appeal no. 491 /ATMCD/ 12 title as Rajesh Kumar Gupta & An vs SDC in respect of property no. C-75, Guraji Park, N-D-26

For compliance and necessary action. (N.D.O.H./D.O.D.- 29/8/14)

(G.R. Verma)  
Registrar

Appellate Tribunal, MCD, Delhi.

1. The Monitoring Committee,  
India Habitat Centre,  
6A, Lodhi Road, Delhi
2. The Deputy Commissioner,  
Zone,  
Delhi Municipal Corporation,  
Delhi
3. The Executive Engineer (Bldg.),  
Zone,  
Delhi Municipal Corporation,  
Delhi

The Director  
(Planning)

D.P.A.  
urged P.L.

for

9/9/14

DOT

① MCD/An  
DDMP & DC I

Pl. bring the P/L  
As per proceedings  
i.e. meeting held

31/07/14

By Director (P.L.) AP-1  
F-3 zone  
P.L. called.

Director (P.L.)

may P.L. see the attached order of the Appellate Tribunal dated 5/5/14. Reference is made towards letter dated 15/01/2014 of D.P.A. which relation in preceding to preceding category set back was given. As per 'X' of the order counsel for D.P.A., Com. n. a. SH K. BHARTI provided to be counsel. 11 - P

- 31 -

AMTOD/WR/2/11

20/8  
30/7/14

**SOUTH DELHI MUNICIPAL CORPORATION**  
**TOWN PLANNING DEPARTMENT**

E-Block, 21<sup>ST</sup> Floor, Civic Centre, Minto Road, New Delhi-110002

No: TP/S./SDMC/20/4/5061

Dated 28/7/14

Sh.R.K.Jain,  
The Addl. Commissioner (Plg.)  
Delhi Development Authority,  
Vikas Minar, I.P. Estate,  
New Delhi.

384/SDMP/2  
31/7/14

Sub:- Discussion during the meetings chaired by Vice-Chairman/DDA on 21.07.2014

Sir,

In the above referred meeting the following issues were discussed:-

- A. Stilt parking in the Residential Plot – Plotted Housing as a follow up of the High Court Orders dated 29.05.2014 in the matter of P.K. Chatterjee v/s Union of India.
- B. Relaxation of the setbacks from preceding to the preceding category of the Residential plot to achieve the Master Plan FAR and the ground coverage w.r.t. MCD court case on the subject.
- C. Development of scheme by Standard plan or modification in scheme as per development control norms of Master Plan for Delhi-2021.

Vice-Chairman desired a written reply on behalf of SDMC on the above issues. On stilt parking a detail status report along with the affidavits as filed by SDMC and MOUD is enclosed.

Besides the Hon'ble Leader of House of SDMC Sh. Subhash Arya has also requested that stilt parking should not be insisted on narrow lanes/non-trafficable roads because on such roads the movement space for vehicles for parking under stilts is not available.

As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by the Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

As regards the development control norms for shop cum residential plots, the opinion on behalf of MCD is already before the Technical Committee and the same is reproduced below:-

*"It is suggested that on all shop-cum-Residential plots (pre 1962 or after 1962) the Residential Development Control Norms shall be applicable whether such Shop-cum-Residential Complex are designated as LSC (under MPD-2001/2021) or not. The Residential Norms shall be applicable at the time of sanction of bldg. Plans on individual plots or addition/alteration on individual plots. The parking charges shall be charged as per Mixed Use policy for providing parking in the vicinity. The Standard Plans shall be revised as per the provisions of MPD-2021 with the Development Control Norms as applicable for Residential Plots. The Basement area may be used for Commercial purpose subject to payment of charges as per Mixed Use Regulations".*

Earlier necessary action on the issues are requested for.

Encl:-As above

Yours faithfully,

Rx 20/7/14

Copy to :-

1. Leader of House/SDMC-for kind information.
2. P.S. to Commissioner/SDMC for kind information..
3. SE(B)/SDMC
4. SE(B)/NDMC

Shamsher Singh  
Chief Town Planner  
25/7/14  
SHAMSHER SINGH  
Chief Town Planner

23/07/14



Contd.



S. No.	Date	Order
		<p>not be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.</p> <p>Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be a possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal, in case he is not given the same benefit on the ground of parity. In that eventuality atleast the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park, who was apparently not at fault but might be suffering due to wrong decisions of the DDA.</p> <p>Counsel for DDA wants to seek instruction from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.</p> <p>Appellant also wants to consult some architect and structural engineer to find out whether there is any solution of rectification of the property in such a manner that the less damage is caused to it and proceeding category set back is achieved if for the sake of arguments it is presumed that the benefit of parity is not given to him even by the Hon'ble High Court in writ petition.</p> <p>Put up this matter on 29.08.2014 for further proceedings. Copy of the order be sent to Director (Planning) DDA and one copy be given Dasti to Counsel for DDA. Interim stay is extended till next date.</p> <p>(ASHWANI SARFAL) Appellate Tribunal:MCD</p>

c

d

x







DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (12) 2014/MP/ 354

Date: 13.10.2014

Sub: Minutes of the 12<sup>th</sup> Technical Committee held on 24-09-2014

Item No. 59/2014

**Confirmation of Minutes**

The Minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were circulated to all the members. The observation have been received for Item No. 53/2014 and 56/2014 which are as follows:

Item No. 53/2014

Chief Town Planner (SDMC) vide letter no. TP/G/SDMC/2014/5388 dated 18.09.2014 and Addl. Commr. (Plg) Infrastructure & UC vide note No. F.3 (2) 2006/MP/Vol.I/ dated 19.09.2014 have raised some observations. Chief Town Planner (SDMC) informed that the entire land is govt. /local bodies land and therefore, the change of land use may be processed. Accordingly the minutes of the Item No. 53/2014 have been modified which are as under:-

*"The proposal was presented by Chief Town Planner (SDMC), after detailed deliberation the Technical Committee agreed for the proposal of the redevelopment plan of Parda Bagh" Considering the decision already taken in MCD and recommended the proposal for Change of land use under section 11-A of DD Act 1957.*

Action Dir. (Plg) Zone A & B  
Chief Town Planner (NDMC)

Item No. 56/2014

- i) Addl. Commr. (MP&UE) has requested for modification in the minutes for item NO. 56/2014 stating that, there are no provision for relaxation of set back from preceeding to preceeding category in residential - plot/ plotted housing in MPD-2021. Therefore, it will require modification in the Master Plan - 2021. Accordingly minutes for item no. 56/2014 has been modified which are as under.

*"The proposal was presented by Director (Plg) MP after detailed deliberation Technical Committee recommended the proposal for further processing under section 11 of DD Act 1957 for modification in MPD-2021."*

Action: Director (Plg) MP

The minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were confirmed with above modifications.

**DELHI DEVELOPMENT AUTHORITY**  
MASTER PLAN SECTION  
6<sup>th</sup> FLOOR, VIKAS MINAR  
I.P Estate, New Delhi – 110002  
Phone No. 23370507

F.1 (10)/2015/MP/332

Date 19.10.2015

**MEETING NOTICE**

The 9<sup>th</sup> Technical Committee meeting of DDA for the year 2015 will be held under the Chairmanship of Vice Chairman, DDA on **Tuesday 20.10.2015 at 05.00 PM in the Conference Hall at B-Block, 1<sup>st</sup> Floor, Vikas Sadan, INA, New Delhi 110023.**

It is requested to make it convenient to attend the meeting.



(S.B. Khodankar)  
Director (MP&DC)

To:

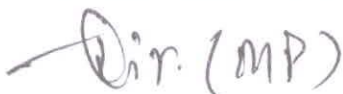
1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW, DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr.(Plg.) MPR & DC, DDA
14. Addl. Commr.(Plg.) TB & C, DDA
15. Addl. Commr.(Plg.) AP, DDA
16. Addl. Commr.(Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC/ NDMC/ EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

**Special Invitees**

1. C.L.A, DDA
2. S.E. Building Head Quarter MCD (SDMC)

**For item No.**

47/2015



# INDEX

**9<sup>th</sup> Technical Committee Meeting to be held on 20.10.2015**

S. No.	ITEM NO.	SUBJECT	PAGE NO.
1.	46/2015	Confirmation of the 8 <sup>th</sup> Technical Committee meeting held on 31.08.2015 <b>F1(08)/2015/MP</b>	1-4
2.	47/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing <b>F20(20)2014/MP</b>	5-10
3.	48/2015	Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi. <b>F.20(08)2015/MP</b>	11-13
4.	49/2015	Proposed change of Landuse of an area measuring 1.12 Ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' in Zone D <b>F 20(11) 2015/ MP</b>	14-19
5.	50/2015	Proposed Sports Complex in Sector-33 (Phase- IV & V) previous Sector-23 (Phase III) <b>F Dir/ Plg./R/4033/2005</b>	20-22
<b>Laid on Table</b>			
6.	51/2015	Proposed modifications in MPD-2021 w.r.t the relaxation of setbacks from preceding category in Residential Plot – Plotted Housing. <b>F 3(19) 2014/ MP</b>	23-32



Item No. 43/2015

Change of land use of site measuring 3.74 ha (9.25 acres) from "Residential "land use and "Pubic and Semi Pubic Facilities" (PS.I) to Utility" (U-4) for Solid Waste Management facility located at Maidangarhi, near IGNOU Camus.  
F.3 (12)2014/MP

The proposal was presented by Director (Plg) Zone 'J'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg.) Zone 'J'

Item No. 44/2015

Delineation of NCZ as proposed in Revised draft Regional Plan-2021 pertaining to National Capital Territory of Delhi.

Regarding sites falling in Zone K-II Dwarka

F.15 (10)2015-MP

The proposal was withdrawn by Addl. Commissioner (Plg) UE & LP.

Item No. 45/2015

-Action: Director (Plg.) Dwarka

Proposed modifications in MPD-2021 regarding the area under waiting/ reception in the hospitals.  
F.13 (02)/2013-MP

The proposal was presented by Director (Plg) MP& DC. After detailed deliberation and incorporating the views of the Fire Deptt., GNCTD received vide letter no. F-6/DFS/MS/2015/2015 dt. 01.09.2015, the proposal as contained in the agenda as given below in column 4 was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957:

MPD - 2021			
1	2	3	4
Existing Provisions	Modifications approved in the T. C. Meeting held on 05.06.2015	Proposed Modifications	Amended Proposal
Table 13.2: Other Controls	Table 13.2: Other Controls	Table 13.2: Other Controls	Table 13.2: Other Controls
5. Common areas such as waiting halls, reception and fire stair cases shall be allowed free from FAR.	5. Fire stair cases shall be allowed free from FAR and maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area.	5. Fire stair cases shall not be counted in FAR and maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. In case it is used for activity other than waiting and reception area, the same shall be counted in FAR.	5. Maximum 10% of the achieved FAR shall be free if utilized for waiting & reception area. However, this area shall be taken into account for the provision of hospital parking as per norms.

-Action: Director (Plg) MP



DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (08) 2015/MP/ 278

Date: 01.09.2015

Subject: Minutes of the 8<sup>th</sup> Technical Committee held on 31.08.2015

The 8<sup>th</sup> meeting of Technical Committee was held under the Chairmanship of V.C., DDA on 31.08.2015. The List of the participants is annexed at 'Annexure- A'.

At the outset, members welcomed the Vice Chairman, DDA for chairing the first meeting of the Technical Committee after assuming charge.

Item No. 40/2015

Confirmation of Minutes:

Since no observations/ comments were received, the minutes of the 7<sup>th</sup> Technical Committee meeting held on 24.07.2015 were confirmed as circulated.

Addl. Commissioner (Plg.) TB & C informed regarding the modifications required in the minutes w.r.t. the Item no. 02/2015, sub-para (i) discussed in the 1<sup>st</sup> Technical Committee meeting held on 22.01.2015. It was informed that in the decision in the above minutes w.r.t. the item no. 02/2015 Sector-1 to 19 Rohini was inadvertently mentioned as Sector-1 to 9 Rohini. As this item already stands approved by the Authority in respect of Sector 1 to 19 Rohini, it was decided that the sub-para (i) of item no. 02/2015 may be read as under:

*"(i) Building activity of the development area No. 148 consisting Sector-1 to 19 Rohini (excluding the already de-notified area) be transferred to concerned Municipal Corporation."*

F.1 (07) 2015/MP

Item No. 41/2015

Proposed change of land use of an area measuring 809sq.m. allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket-V, DDU Marg from 'Residential (Nursery School)' to 'Public & Semi -Public facilities', falling in Planning Zone- D.

F.20 (02)/2015/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'

Item No. 42/2015

Proposed change of land use in respect of the area measuring 1.40 ha.(3.462 acres) from 'Residential' to 'Government Office' Proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning Zone- D.

F.3(68)/2008/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'

List of participants of 08<sup>th</sup> meeting for the year 2015 of Technical Committee on 31.08.2015

**DELHI DEVELOPMENT AUTHORITY**

1. Vice Chairn ..., DDA
2. Engineer Member, DDA
3. Commissioner (Plg), DDA
4. Chief Architect, HUPW/DDA
5. Addl. Commissioner (Plg) TB&C, DDA
6. Addl. Commissioner (Landscape), DDA
7. Addl. Commissioner (Plg)AP, DDA
8. Addl. Commissioner (Plg.) UE&LP, DDA
9. Director (Plg) MP, DDA
10. Director(Plg.) Zone D
11. Director(Plg.) Zone J
12. Director(Plg.) GIS & Zone E&O
13. Dy. Director (Plg.) MPR
14. Dy. Director (Plg.) Dwarka


**OTHER ORGANIZATION**

1. Sh. A.M. Athale, Chief. Architect, NDMC
2. Sh. Mukesh Bajpai, Sr. Architect, MoHFW, Gol
3. Rajiv Kanaujia, Sr. Architect, CDB, MoHFW, Gol
4. Ms. Ritu Kapila, Architect, CPWD
5. Sh. Ashutosh Kumar Sahu, Architect, CPWD
6. Sh. Jugal Ahmed, Consultant, SDMC
7. Arunesh Upadhyay, SE(DEMS), SDMC
8. Sh. Devesh Chand, B.O/L & D.O
9. Sh. Sushil Kumar, Architect, NDMC
10. Virendra KUMAR, AE, CPWD
11. Sh. Rakesh Bhatia, ACP, Delhi Traffic Police



Officers of Fire Department, GNCTD telephonically regretted their absence during the meeting due to some other important appointments. It was decided that their views may be obtained before circulation of the minutes.

The meeting ended with thanks to the Chair.

  
(S.B. Khodankar)  
Director (Plg.) MP&DC

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr. (Plg.) MP&MPR, DDA
14. Addl. Commr. (Plg.) TB&C, DDA
15. Addl. Commr. (Plg.) AP, DDA
16. Addl. Commr. (Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC, NDMC, EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

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*be either withdrawn or modified without the permission of this court. Now the Union of India has mooted a proposal which would necessarily mean modification of the said Circular dated 27.04.2011. The learned counsel for the DDA as well as the learned counsel for the South Delhi Municipal Corporation as well as the New Delhi Municipal Council have also been heard. They have stated that any modification that would be made to the Circular of 27.04.2011 would have to be done after following the due process of law. Ultimately, an order will have to be passed by the competent authority / authorities. We are not giving our views either way on the proposal. It is for the appropriate authorities and ultimately for the competent authorities to consider the same and to pass appropriate order in accordance with law. All that we are permitting is that the proposal for modification be carried through the process of consideration and ultimate decision on the same. The impediment which we had raised by virtue of our order dated 26.02.2013 on considering any modification, is now erased in the above terms.*

*Till a final decision is taken by the competent authority, the Circular dated 27.04.2011 shall continue to operate. If the petitioners are aggrieved by the ultimate decision that would be taken by the competent authority they would be at liberty to file a fresh petition. The learned counsel appearing on the side of the respondents have also stated that the process of modification would be taken up expeditiously. "*

- d) As a follow-up action on the Court order, a meeting was convened by the VC,DDA with the officers of Municipal Corporation of Delhi & DDA wherein a considered view emerged that in view of the provisions for handicaps and single family residing on a single plot, DDA may take up the following proposal for modifications in MPD-2021 as per DD Act, 1957 w.r.t. Stilt and parking provisions in para 4.4.3A. Residential Plot-Plotted Housing as under:

vii. Stilts:

- i) Stilt parking should not be mandatory on plots upto 200sq.mt.
- ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory.
- iii) For all plots, other than as provided in i. & ii. Above, provisions of stilt parking may be mandatory.

viii. Parking: Parking space shall be provided for within the residential plot as follows:

- a. 2 equivalent car space (ECS) in plot of size 250-300 sq.m.
- b. 1 ECS for every 100sq.m. built-up area, in plots exceeding 300 sq.m. provided that, if the permissible coverage and FAR is not achieved with the above -mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.

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Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing

File No. F.20(20)2014/MP

### 1.0 Background

- a) MCD with prior approval of Hon'ble LG of Delhi, vide Circular No. CCIB/2011/D-79 dated 27.4.11 decided to make the provisions of stilt parking mandatory for the Residential Plot measuring 100sqm. and above.
- b) The matter was challenged in the Hon'ble High Court of Delhi as a part of court matter titled P. K. Chatterjee V/s Union of India and Ors. W.P.(C) 4598/2010 and CM Nos.2391/2013, 10246/2013, 12768/2013 and 1399.2014. Based on the various meetings, on the subject, Ministry of Urban Development, MCD and DDA submitted their affidavits in the Hon'ble High Court of Delhi. The formulation for provision of stilt parking in residential plots, as contained in the affidavits of MoUD and DDA, was as under:
- Stilt floor for parking need not be provided in plot sizes upto 100 sq.m.
  - For plot sizes from 100 sq.m. upto 500 sq.m. stilt floor shall be mandatory to be used for parking of vehicles for more than 2 dwelling units.
  - For plot sizes of 500 sq.m. and upto 1000 sq m., stilt floor shall be mandatory where the number of dwelling units is more than 4.
  - In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site /sites for construction of multi storied car parks catering to the requirement of parking.
  - Parking lots may be developed under recreational areas subject to requisite clearance from the Department of Environment, GNCTD and using appropriate design and technology options to ensure that rainwater is harvested optimally and used for re-charging ground water aquifers.
- c) The matter was disposed off by the Hon'ble High Court of Delhi vide the following orders dt. 29.05.2014:
- "We have heard the learned counsel for the parties at length. The question is with regard to the Circular dated 27.04.2011 which was issued by the Chief Engineer (Building), MCD. Earlier we had passed an order on 26.02.2013 whereby we had directed that the said Circular should not*

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the provision of Toilet on the stilt floor is being considered in Building Bye-laws under revision.

After detailed deliberation Technical Committee recommended the proposal as given in Para 3 of the Agenda for further processing to the Authority for modification to the MPD-2021 under section 11A of DD Act, 1957."

#### 4.0 Follow-up action:

Based on the recommendations of Technical Committee, the draft agenda for the Authority meeting was put up for approval of Hon'ble Lt. Governor, Delhi and in note on file Hon'ble Lt. Governor, Delhi observed the following:

- "1. When AC(TB&C), DDA informed that the provision of toilet on the stilt floor is being considered in the building bye-laws under revision, then how could the Technical Committee recommended the proposal for further processing to the Authority.
2. Before this matter is put up to the Authority for decision, a meeting should be convened at Raj Niwas to be attended by the officials of MCD, DDA and Director, Fire Service."

With respect to above observations of Hon'ble Lt. Governor, the matter was further discussed among the Senior officers of DDA and it was opined to modify the proposed modifications as under:

Chapter 4.0: Shelter		
Para4.4.3 Control for Building / Buildings within Residential Premises		
A. Residential plot-Plotted Housing		
Existing Provisions	Proposal approved in Technical Committee meeting on 22.01.2015 vide Item No. 04/2015.	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	vii. Stilts: i) Stilt parking should not be mandatory on plots upto 200sq.mt. ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory. iii) For all plots, other	vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. In the area under stilt which can not be utilized for parking, provision of toilet is permissible. Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be

In addition to above existing paras a. & b. the following para c. to be added:

c. In respect of plotted development up to 100sq.m. , the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.

(e) During the course of meeting, South Delhi Municipal Corporation (SDMC) also has submitted a brief proposal as under:

*"a fresh proposal linking number of floors co-relating the same within the adequacy of parking provision as per Master Plan -2021 be mooted, which implies that if the proposal is for construction of ground floor and first floor (with or without basement), stilt provision should not be insisted upon, as parking / ECS requirement will be lesser, as compared to the proposals from ground floor to third floor requiring fulfillment of parking / ECS requirement".*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for Stilt Parking, for different plot sizes, are governed by the development control norms prescribed in the Chapter 4: Shelter under clause 4.4.3 i.e. Control for Building / Buildings within Residential Premises of MPD-2021 which are as follows:

### A. Residential Plot – Plotted Housing

vii. **Stilts:** If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.

viii. **Parking:** Parking space shall be provided for within the residential plot as follows:

- a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m.
- b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.

## 3.0 Decision of Technical Committee

The matter was discussed in the Technical Committee in its meeting held on 22.01.2015 vide Item No. 04/2015. The decision of the Technical Committee are as under:

*"It was suggested that Toilets may be permitted in the stilt as it is being permitted in many other cities, Addl. Commissioner (TB & C), DDA informed*

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## Chapter 4.0: Shelter

### Para4.4.3 Control for Building / Buildings within Residential Premises A. Residential plot-Plotted Housing

Existing Provisions	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. In the area under stilt which can not be utilized for parking, provision of toilet is permissible. Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above - mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

6.0 The proposal as contained in para 5.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act.1957,

Asstt. Dir. (Plg.)/MP&DC

Dy. Dir. (Plg.)/MP

Director (Plg.)/MP



building.	iii) For all plots, other than as provided in i. & ii. above, provisions of stilt parking may be mandatory.	story, stilt parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above - mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

#### 5.0 Proposal:

Based on the examination and observation of Hon'ble L.G., Delhi, the following modification are proposed to be made in MPD-2021 under Section-11A of DD Act, 1957.

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1.5A meeting was held under the Chairmanship of Chief Secretary, Delhi on 12/3/2015 in compliance of the directions NGT order dated 26/02/2015 in Original Application No. 305 of 2013 titled, "Balam Singh Rawat vs. GNCTD & Ors.", wherein following was decided with reference to the action on part of DDA:

*"as the Master Plan of DDA does not have provisions for TSDF, it was decided that DDA should make provisions in the Master Plan."*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi prescribed in the Chapter 7: Industry, Annexure 7.0 (iii) Prohibited / Negative list of Industries, Chapter 9: Environment and Chapter 14: Physical Infrastructure in Para 14.6 Solid Waste under footnote of Table 14.6 of MPD-2021 which are as follows:

### 2.1 Chapter 7.0: Industry

In the list of Prohibited / Negative list of Industries annexed in Chapter 7 of MPD-2021:

*"Industries manufacturing the following shall be prohibited within National Capital Territory of Delhi. However, Environment Department, GNCTD in consultation with Industries Department, GNCTD shall take the final decisions to ascertain a particular activity / industry / factory to fall under the said list as per the parameters / norms set by the CPCB and adopted by the DPCC."*

Sl. No. 46 of the Prohibited / Negative list:

*'Hazardous waste processing viz. hospital / tertiary health care centre medical / industrial waste'*

Further, it is quoted in the note under the list of Prohibited / Negative list of Industries:

- i. A public utility service involving any of the activities referred to above shall be permitted subject to environmental laws.*
- ii. Further additions / alterations to the list of Prohibited Industries could be made if considered appropriate and in public interest by the Central Government to do so.*
- iii. However, continuity of any type of furnace shall be within set parameters of CPCB & DPCC."*

### 2.2 Chapter 9: Environment

*"A clear approach towards management of 4 types of wastes generated in Delhi, namely Solid Waste, Hazardous Waste, Bio-Medical Waste and Electronic Waste, should be adopted. The approach should take into account the need for adopting the Clean Development Mechanism (CDM) and the awareness of the carbon credits that can be earned and encashed through a planned and organized mechanism, to be developed for this purpose."*



Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi.

File No. F.20(08)2015/MP

## 1.0 Background

- 1.1 Secretary (Environment) cum-Chairman, Delhi Pollution Control committee (DPCC), GNCTD vide letter No. F12(367)/Env/MoEF CSS/10/881 dt.25.02.2013 addressed to VC,DDA, has requested *"to identified the appropriate sites for development of TSDF (Treatment, Storage & Disposal Facility) for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the public interest at large."*
- 1.2 Subsequently, Secretary (Environment) cum-Chairman, DPCC vide letter dated 04.07.2014 has again requested *"to identify and allot about 50 acres of land at appropriate sites for development of TSDF for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the larger public interest."*
- 1.3 In compliance to the directions of Hon'ble NGT passed vide order dt. 01.10.2014 in Original Application No. 305 of 2013 entitled, "Balam Singh Rawat vs. GNCTD & Ors." a meeting was convened by Secretary (Environment), GNCTD on 03.11.2014 with the Department of Environment of various neighbouring states i.e. Haryana, Uttar Pradesh & Rajasthan to discuss the issue regarding the sharing of existing TSDF sites in their states with Delhi. In the meeting it was observed that:  
*"Since it is important land related matter, the meeting must be chaired by a High Level Officer from Ministry of Environment and Forests, Government of India. Secretary (Environment), Govt. of NCT of Delhi further added that Ministry of Urban Development, Government of India, should direct DDA (the land owning agency in case of Delhi) to earmark and allocate suitable land for setting up of TSDF for Hazardous Waste of Delhi. Joint Advisor (PHE), Ministry of Urban Development, Government of India present in the meeting agreed to it."*
- 1.4 In response to D.O. letter dt. 12.12.2013 of Secretary (Environment) cum-Chairman, DPCC addressed to VC,DDA, the Planning Deptt., DDA vide letter No. F.3(03)2015-MP/134 dt. 10.03.2015 informed Secretary (Environment), GNCTD that the activities like hazardous waste processing is listed at Sl. No. 46 of the Prohibited / Negative list of Industries annexed with Chapter 7 i.e. Industry of MPD-2021. However, based on the notes quoted under the above list, Secretary GNCTD was requested to provide necessary comments / precise formulation in consultation with CPCB / DPCC for suitable incorporation in MPD-2021.



## 2.3 Chapter 14: Physical Infrastructure

"The other type of specialised waste includes biomedical waste; hazardous waste from industries; construction debris and fly ash; meat processing centre etc. Disposal of bio-medical waste is to be as per bio-medical waste rules and hazardous waste requires special handling according to hazardous waste handling rules. Proper dumping, recycling and reuse of construction debris and fly ash have to be linked. Meat processing centre waste is to be recycled for chicken feed etc. Further, some more viable alternatives to landfills are vermiculture, fossilisation, composting etc. Waste Minimisation Circles (WMCs) should be constituted and made effective. Implementation and monitoring & Bio-Medical Wastes (Handling & Management) Rules, 1998, for hospitals, tertiary health care centres, nursing homes, and clinics should be taken up. The sites, which are filled up or are in operation, are given in Table 14.7. The filled up sites may be reused for plantation or as recreational area. The proposed sites for sanitary landfill and compost plants are to be finalised by the MCD."

### 3.0 Proposal:

In view of the decision taken in a meeting held under chairmanship of Chief Secretary, GNCTD referred in para 1.5 above, the following modification in MPD-2021 is proposed to be processed under Section 11-A of DD Act, 1957 for issuing the public notice inviting objections / suggestions from public:

MPD 2021	
Chapter 7.0-Industry	
Annexure III: Prohibited / Negative List of Industries	
Existing Provisions	Proposed Modifications
46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste	46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste. (However, modern hazardous waste processing plant with latest technology shall be permitted subject to all clearances including environmental clearances from concerned agencies. These will be dependent strictly on the need of the NCT of Delhi.)

4.0 The proposal as contained in para 3.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act. 1957.

Asstt. Dir. (Plg.)/MP&DC

Dy. Dir. (Plg.)/MP

Director (Plg.)/MP

- 2.5 As per table 8.2 of MPD-2021, the Development Control Norms for the 'Government Office' as per MDP-2021 area are as under:

Category	Ground Coverage	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Activities permitted
Integrated Office Complex	30	200	NR, subject to approval of AAI, Fire Department and other statutory bodies	1.8	Government Offices, Watch And Ward Residence/ Residential Maintenance Staff (Maximum 5% of FAR), Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)

### 3.0 JUSTIFICATION & PUBLIC PURPOSE TO BE MET THROUGH THIS PROPOSED CHANGE OF LAND USE

#### 3.1 Justification & Public Purpose to be met

1. The land has been allotted by Land & Development Office (L & DO) to the Ministry of New and Renewable Energy for the construction of 'Akshay Urja Bhawan'.
2. As per the report received from MNRE, it is mentioned that *MNRE is the nodal Ministry of Govt. of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of Energy to supplement energy requirements of the country. MNRE is having its main office in Block 14 of CGO Complex. Apart from this, due to paucity of space in Block 14, some other branches are functioning from Block 3 and Paryavaran Complex in CGO Complex. The senior officers are sitting in two differently located buildings sometimes; it becomes difficult to interact with them particularly as and when any emergency situation arises.*

*Keeping in view the growing importance of energy sector and the fact that proper working conditions are absolutely necessary for human resource to be more productive, Government is also committed to give thrust to renewable sources of energy in order to reach 120 crore population in the country. Being the nodal Ministry of the Government of India for all matters relating to new and renewable energy, the Ministry is promoting green campuses, green buildings and net zero energy buildings. In order to demonstrate all this, it is important that the building in which MNREs own office is located, has all the features of renewable energy which MNRE is promoting. Therefore, MNRE would like to construct an eco-friendly, energy efficient and net zero building.*



Sub: Proposed change of land use of an area measuring 1.12 ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' for the Ministry of New and Renewable, Government of India in Planning, Zone-D.

File No. F.20 (11)2015/MP

## 1.0 BACKGROUND

- 1.1 MoUD, GOI vide letter dated 18.05.2015 forwarded a letter dated 12.05.2015 received from the Ministry of New and Renewable Energy (MNRE), addressed to MoUD, GOI for necessary action regarding allotment of land for the construction of 'Akshay Urja Bhawan' in New Delhi.
- 1.2 Further, MNRE vide letter dated 23.06.2015 enclosing therewith Prime Minister Office reference dated 09.06.2015 requested L&DO, MoUD, GOI that necessary procedure for change of land use from 'Bus Terminal' to 'Government Office' may be initiated and the necessary approval for the change of land use be accorded.
- 1.3 L &DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis.

## 2.0 EXAMINATION

- 2.1 The site under reference falls in Planning, Zone-D and outside the 'Lutyens Bungalow Zone (LBZ)'.
- 2.2 The plot under reference is located opposite CGO Complex, New Delhi and adjacent to the proposed office building of National Investigating Agency.
- 2.3 As per MPD-2021, the land use of the site under reference is 'Residential' & as per approved Zonal Development Plan of Zone 'D' prepared under MPD-2001, the land use of the site under reference is 'Transportation (Bus Terminal)'.
- 2.4 As per L&DO allotment letter dated 12.06.2015, land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis' subject to the terms and conditions that the plot of land so allotted to MNRE for construction of 'Akshay Urja Bhawan' shall be used only for the purpose for which it is allotted and not be further transferred by MNRE.



#### 4.0 Proposal

##### Change of land use:

In view of L & DO letter dated 12.06.2015, the land use in respect of an area measuring 2.76 acres opposite to CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-D, may be changed from 'Residential' to 'Government (Govt. Office)' for the construction of Akshay Urja Bhawan under Section 11A of DD Act, 1957. The boundary description of the same is as follows (Refer location map and detail Survey plan at Annexure 'A'):


Location	Area	Land use as per MPD-2021/ ZDP	Land use Changed to	Boundaries
1	2	3	4	5
Proposed Akshay Urja Bhawan for the Ministry of New and Renewable Energy, opposite CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-'D'	1.12 ha. (2.76 acres)	As per MPD-2021 - 'Residential'	'Government (Govt. Office)'	North: Dayal Singh College South: 13.5 m wide Road and Pragati Vihar Hostel East: Proposed/ under construction NIA Building West: Lodhi Road Complex and Park
		As per approved Zonal Development Plan of Zone-D prepared under MPD-2001- 'Transportation (Bus terminal)'	'Government (Govt. Office)'	

#### 5.0 Recommendation

Proposal as given in para 4.0 above may be considered by the Technical Committee so that the proposed change of land may be processed further under Section 11A of DD Act, 1957.

  
Asstt. Director (Plg.)  
Zone-D

  
Dy. Director (Plg.)  
Zone-D

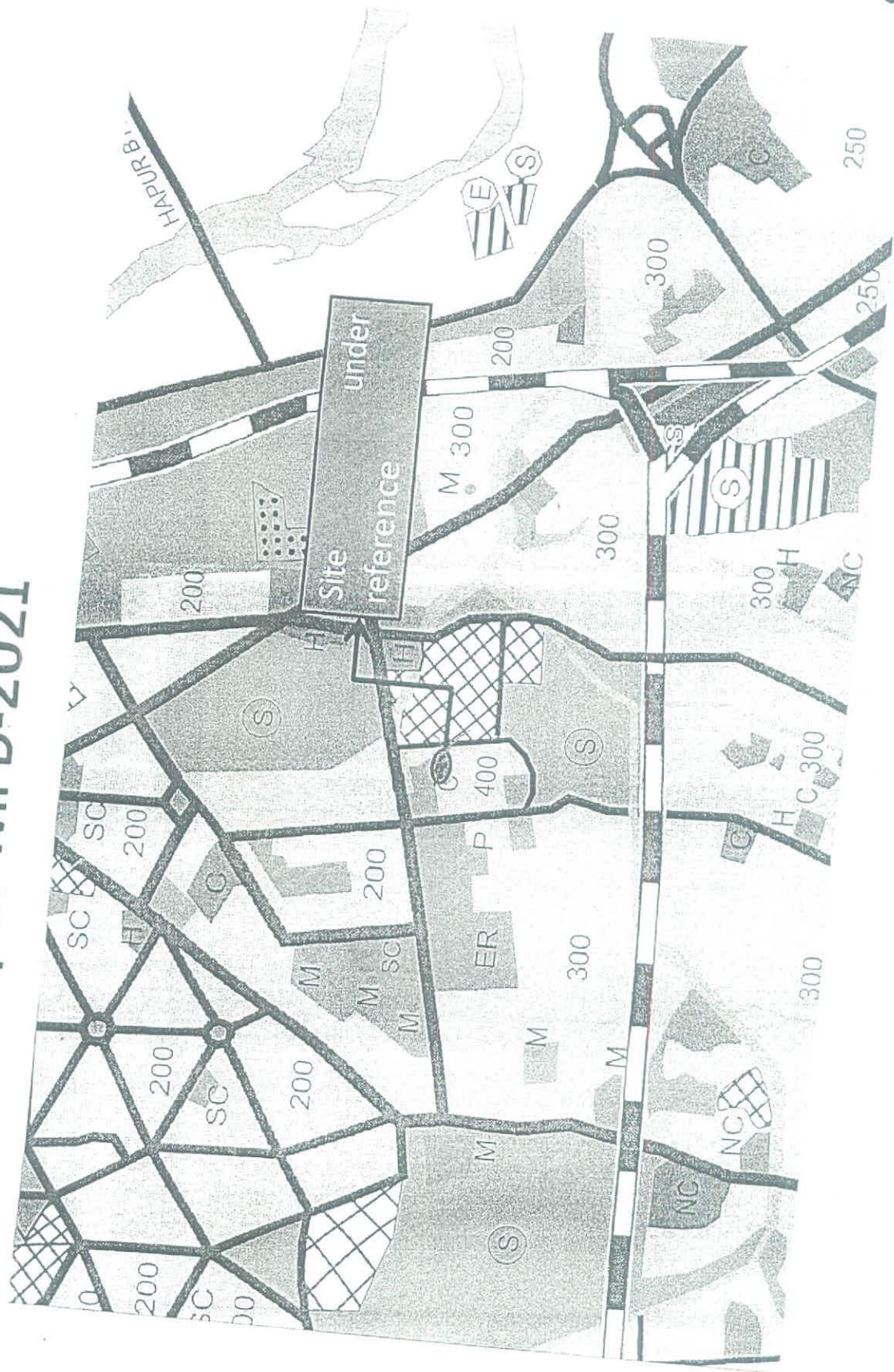
  
Director (Plg.)  
Zone-F, H & D

3.2 MOUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

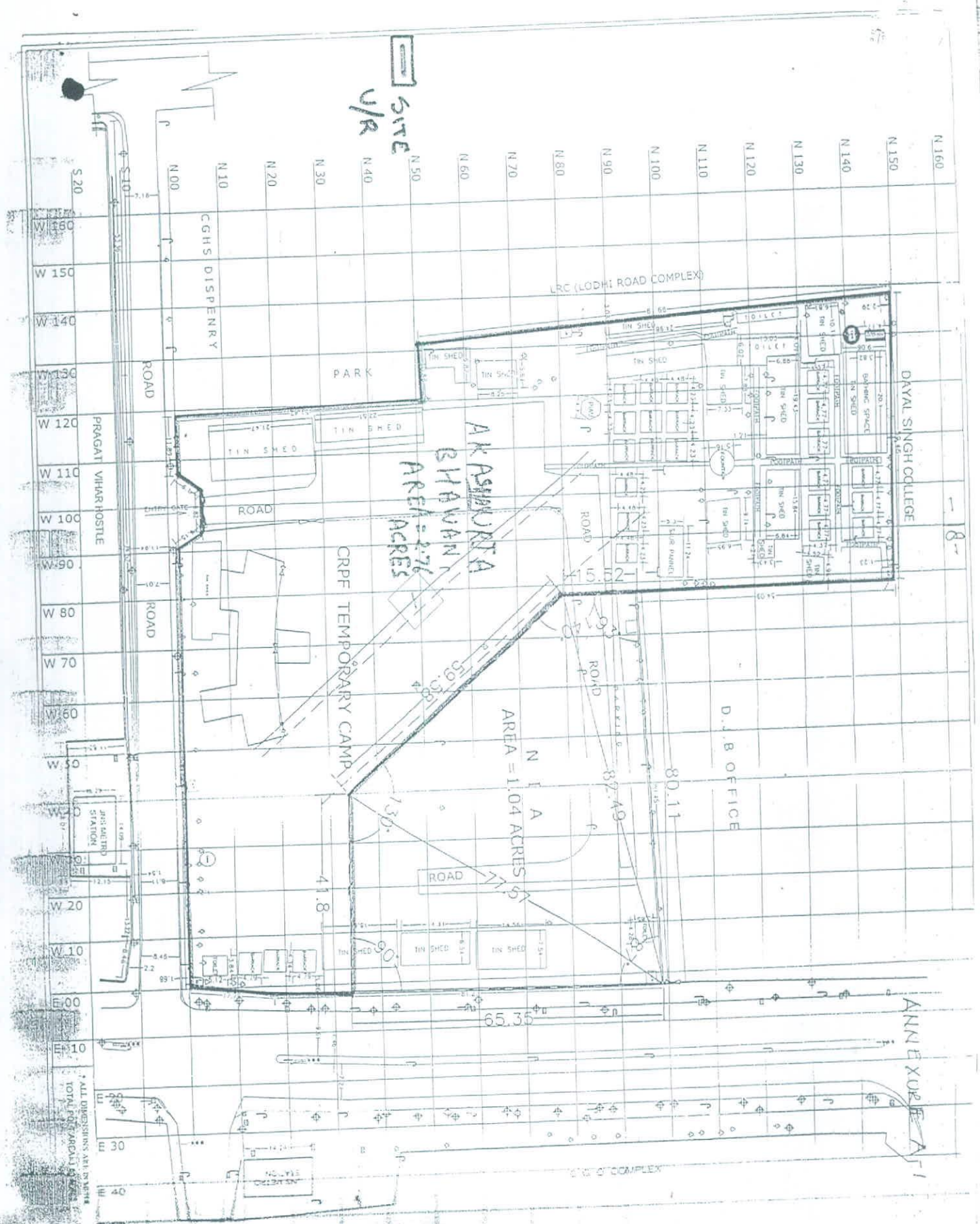
S.No.	Information asked by MOUD vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	It is a government land and is with Land & Development Office (L&DO), MoUD, GOI.
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	L&DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land to MNRE for the construction of 'Akshay Urja Bhawan'. On the basis of this, the proposed change of land use of the site under reference has been initiated.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	The site under reference was inspected by Addl. Commr. (Plg.) AP, Director (Plg.) F,H & D-Zone and Asstt. Director (Plg.) Zone -D on 14.10.2015. The report is as under: <ul style="list-style-type: none"> <li>At present, the site is accessible from Jawharlal Nehru Marg having 45 m R/W. The entry to the site is through a 12.0 m wide road.</li> <li>There is a temporary structure of 'Golden Jubilee Hall' of CRPF on one side of the site and on the other side; there are tin sheds and barracks existing on the site and also, a fountain exists at the site.</li> <li>Some part of the site is maintained as green area.</li> </ul>
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	MNRE is the nodal Ministry of Government of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of energy to supplement energy requirements of the country and therefore, it is for larger benefit of the people at large.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	As such, no impact of proposal on the ZDP/ MPD.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	No adverse impact on law and order are anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	It relates to the land owning agency i.e. L&DO.



# Location as per MPD-2021







Site  
u/a

AKASHMUKTA  
BHAWAN  
AREA = 2.76  
ACRES

AREA = 1.04 ACRES

DAYAL SINGH COLLEGE

LRC (LODHI ROAD COMPLEX)

PRAGATI VIHAR HOSTILE

CGHS DISPENSARY

PARK

CRPF TEMPORARY CAMP

D.B. OFFICE

ANNEXURE A-1

\* ALL DIMENSIONS ARE IN METERS  
TOTAL AREA 10.00 ACRES

#### 4. STATUS REPORT

The information based on the format provide by MoUD vide letter dated 07.04.2015 is given below:

Sl.No		Status
I.	Whether the land is government or private and who is the land owning agency?	Land acquired and possession with DDA for planned development of Rohini Ph.-III, IV & V. Land is available and with Engineering Wing DDA.
II.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	A request from RWA's has been received for development of Sports Complex in this area. At present DDAs Sport Complex is located opposite Sector-IX. As per ZDP for Zone-M, Sports Facility has been proposed in Sector-34 which is located at distance of about 5-6 km & is yet to be developed.
III.	Whether a responsible office from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Total Station Survey has been provided by the Engineering Wing. The site has been inspected by Dy. Director(Plg.), Dy. Director (Survey) of Rohini Project. The site is without any development.
IV.	What is the public purpose proposed to be served by modification of MPD and/or change of land use?	This facility will cater to the population residing in Sectors-20 to 25 and population of Sector-32, 36, 37, 38 where the plots have been allotted recently.
V.	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal is within the provision of MPD-2021. The FAR & Ground coverage for Sports facility is comparatively low and will also provide for large open spaces & landscape areas with tree plantation.
VI.	What will be proposal's impact/implications on general public e.g. Law & order etc.?	This will be additional facility for the general public & will not have any impact on Law & order.
VII.	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	The scheme for this area has been prepared in 2004 and Total Station Survey has been provided by the Engineering Wing in 2014. No court case/ownership dispute has been reported.

#### 5. PROPOSAL

The following modifications is proposed in Master Plan for Delhi-2021 & Zonal Development plan for Zone-M under Section-11-A of DDA Act 1957.

Location	Area (in Ha.)	Landuse (as per MPD-2021 & ZDP of Zone-M)	Proposed Landuse	Boundaries
Sector-33 Rohini, Ph-IV.		Recreational	Public & Semi Public Facilities. (PS3) Sports Facilities/ Complex/ Stadium/ Sports Centre	North- Sector-32, Rohini. East- 30.0 m. wide green belt, and 80.0 m wide road R/W(UER-III) South- Under Ground Reservoir (existing) West- Sector-33, Rohini.



Subject: Proposed Sports Complex in Sector-33 (Ph-Iv & V), previous Sector-23 (Ph-III).

F.20(18)/2015-MP

### 1. BACKGROUND

- I. A request from Confederation of RWAs of Sector-20 to 25 of Rohini has been received, forwarded by Hon'ble Member of Parliament for development of Sports Complex in this area. It has been forwarded by Raj Niwas.
- II. As per approved composite plan of sector-20 to 25, Rohini (Ph-III) the site under reference has been earmarked for Recreational purpose.
- III. The plan prepared by Landscape unit was approved in 231<sup>st</sup> Screening Committee held on 15.03.2004 vide item no. 33:2004 with the direction that "No construction shall be carried out in the Sport center only open field and jogging track shall be developed".
- IV. The Sports Complex plan approved on 15.03.2004 facilities such as open field/ courts for various sports, Swimming Pool, Multi Gym etc.
- V. As per the Scheme for Rohini Phase-IV and V, the area under reference has been re-designated as part of Sector-33, Rohini.

### 2. MPD-2021 PROVISIONS.

- i. The land use as per MPD 2021 and notified ZDP of Zone-M is 'Recreational' where only Sports Activity, Play Ground, Amenity Structures are permitted.
- ii. As per MPD-2021 the Sports facilities are categorized under Chapter-13, Social Infrastructure. As per MPD-2021, Sports Facilities/ Complex/Stadium / Sports Centre are categorized under land use "Public and Semi-public Facilities".
- iii. The proposed Sports facility will be covered under District Sports Centre catering for a population of 5 lakhs and above. Development Control Norms as per para 13.3.3 are reproduced below.

Maximum ground coverage	20% including amenity structures
Max. FAR	40
Height	NR (Subject to clearance from AAI, Fire Dept. and other statutory bodies).
Parking	2 ECS/ 100 sqm of floor area.

### 3. EXAMINATION

- I. Total Station survey has been provided by Engineering Wing for the area under reference, green belt etc. measuring about 21.62 ha. This has been forwarded by Dy. Dir. (Arch.)-II vide letter No. F1(01)09/SA(R&N)/HUPW/DDA/39 dated 24.02.2015.
- II. The site is parallel to 80 m wide Urban Extension Road-III. ZDP for Zone-M has proposed two roads (30 and 40 m wide) for connecting proposed development in sector-33. This has been demarcated in Total Station survey. The area available for development of proposed District Sports Complex is 8.90 ha. The layout plan is enclosed as Annexure-I.
- III. In view of above this will require processing of modification in the land use of MPD-2021 and ZDP for Zone-M under Section-11-A of DDA Act 1957.



- due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake cannot be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.
- ii. Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal.
  - iii. In that eventually at least the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park.
  - iv. Counsel for DDA wants to seek instructions from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

1.5 In view of Para 4. above, the matter was discussed in the meeting held on 21.07.2014 under the Chairmanship of V.C., DDA wherein the officers of MCD & DDA were present, wherein it was decided to "to prepare a modification in MPD-2021 in para 4.4.3A where Para (c) may be added that in case the permissible ground coverage is not achieved in case of (a) above i.e. preceding category setback, the Technical Committee may consider further relaxation of setbacks".

1.6 With reference to above mentioned SDMC vide letter No. TP/G/SDMC/2014/5061 dt. 28.7.2014 submitted the following (Annexure-III): "As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

1.7 Accordingly, the matter was considered & approved in the Technical Committee in its meeting held on 02.09.2014 vide Item No. 56/2014 and the minutes of the same were confirmed in the next Technical Committee held on 24.08.2014 with certain modifications. The decision taken therein is as follows (Annexure-IV): "The proposal was presented by Director (Plg)MP after deliberation Technical Committee recommended the proposal for further processing under Section 11-A of DD Act, 1957 for modification in MPD-2021."

Based on the consideration & recommendation of Technical Committee, the proposal will be placed before the Authority for processing under section-11-A of DD Act, 1957, for inviting objections/suggestion from the public.

#### 6. RECOMMENDATION

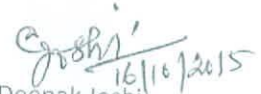
The proposal contain in para-5 is placed before the Technical Committee for consideration and approval please.

  
19/10/15

(Rajesh Kumar Jain)  
Director.(Plg.)Rohini  
Zone-'M'

  
16/10/15

(A.K. Malhotra)  
Dy.Dir.(Plg.)Rohini  
Zone-'M'

  
16/10/2015

(Deepak Joshi)  
Asstt.Dir(Plg.)Rohini  
Zone-'M'

Sub: Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing.

File No. F.3(19)/2014-MP

#### 1.0 Background

- 1.1 The matter is regarding the proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing. As per MPD-2021, the provision for relaxation in setbacks for Residential Plotted Development and Other than Plotted Development are given in Para 4.4.3A point (x) and in the foot note under Table 17.1 respectively.
- 1.2 Earlier in the specific case of property No. M-17, Green Park the matter for relaxation of setbacks from preceding to preceding category was presented by MCD in the meeting of Technical Committee held on 11.8.2011 vide item No. 20/2011. After detailed deliberation the following decision was taken (Annexure-I): "The proposal for relaxation in setback from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the setback are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Category on the said plot is 75% as per MPD-2021. After the detailed discussion, Technical Committee agreed to the proposal with the provision that existing Ground Coverage (69%) as per drawing submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD".
- 1.3 Now, in the case of Rajesh Kumar Gupta vs SDMC for the property no. C-75, Shivaji Park under Appellate Tribunal of MCD, the appellant has claimed the similar benefit as mentioned in the point 2 above.
- 1.4 The above matter was deliberated before the ATMCD by MCD and DDA, wherein the following issues were highlighted in the order of ATMCD dt. 05.05.2014 (copy annexed as Annexure-II)
  - i. It appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or



- 27 -

After the detailed discussion, Technical Committee agreed to the proposal with the proviso that existing Ground Coverage(69%) as per drawings submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD

Action:Ex.Engg.(Bldg.)South Zone MCD)

Item No.21/11:

Sub:Continuance of Temporary Cinemas in Delhi.

F.11(6)/74/MP/Pt.I

The item was presented by Director (Plg.) MP & Zone 'D', it was informed that the temporary cinemas which were continuing on license basis, for a long time, at various locations in Delhi, were not conforming to the land use provisions. The MPD-2001 had stipulated the conditions for continuation of temporary cinemas, subject to maximum capacity of 300 seats; minimum front right of way 18 mtrs; One car space per 25 seats; conformity to the Cinematography Act and levying of conversion charges, to be worked out by the Authority. However, the issue of continuance of temporary cinemas is not addressed in the MPD-2021. Several representations were received from time to time in this regard and the issue of permissibility of temporary cinemas on permanent basis was also raised in one of the Authority meetings by the non official members which was also placed before the Technical Committee.

In view of the directions of the Hon'ble Lt.Governor for processing the cases of existing temporary cinemas for regularization, the matter was again placed before the Technical Committee. After detailed deliberations, it was observed that continuance of Temporary Cinemas and the possibility of effecting land use change to make them permanent in situ in Delhi should be dealt on case to case basis. Accordingly it was decided that the present status of the temporary cinemas in terms of area, ownership details and existing/functioning activities in these premises, supported by photographs/documents may be obtained to examine the matter further.

Action: Concerned Directors (Plg.)

Item No.22/11:

Sub:Revised layout plan for CRPF Campus at Mahavir Nagar, New Delhi.

F.1(25)07/MP/

Director (Plg.) C&G, DDA presented the case. It was decided that CRPF will submit the revised proposal, ensuring optimum use of land and accommodating future requirement of housing and office spaces as per MPD-2021 provisions.

Action:Dir.(Plg.)C&G Zone.

1.8 Based on the recommendations of the Technical Committee draft agenda for Authority meeting was forwarded to the Hon'ble Lt. Governor, Delhi for its consideration in the Authority meeting vide this office note dated 17.10.2014. Hon'ble L.G., Delhi submitted the following observations on the draft agenda : "I see that the proposed draft agenda has been put up on the basis of one individual case where DDA took a wrong decision/ gave undue favour in violation of MPD norms. Even the order of Appellate Tribunal mentions the same. The proposed agenda is also silent with regard to conformity with the provisions of National Building Code & Building Bye-Laws. Views of Fire Deptt have also to be sought before the matter is placed before the Authority."

**2.0 Follow-up action:**

2.1 After discussion among the Sr. officers of Planning Wing, DDA, it is opined that at the first instance comments/ observations from the Legal Deptt., DDA may be obtained in this regard.

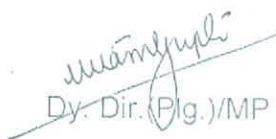
2.2 Accordingly the file was submitted to Legal Deptt., DDA and the following observations were received:

- i. The deptt. is under no legal obligation to process the matter further for modification in MPD-2021.
- ii. The earlier decision of Technical Committee if in contravention of the MPD norms then it is not legally tenable. Even the DDA counsel did not oppose observations of Hon'ble Court in the context.
- iii. The matter may be placed before the Technical Committee if deemed / appropriate for consideration of the matter in view of observation of the Hon'ble Court.

3.0 In view of the observation of the Legal Deptt. in para 2.0 above, the matter is placed before the Technical Committee for appropriate decision.



Asstt. Dir. (Plg.)/MP&DC



Dy. Dir. (Plg.)/MP



Director (Plg.)/MP

21-  
Before Sh. A.K. Sarpal  
Appellate Tribunal M.C.D.  
Room No. 28, New Courts  
Tis Hazari, Delhi  
Appeal No. 491/12

Rajesh Kumar Gupta  
V/S  
DDA



A.No.491/12

05.05.2014

Present: Sh. K.N.Singh, counsel for appellant.  
Sh. Ajay Arora, Standing Counsel for MCD  
alongwith Sh. Mohit Sharma and Sh. Shashi  
Kant Sharma counsels for MCD and Sh.  
Sudhir Mehta, EE(BHQ) alongwith Sh.  
Joginder Singh, AE(BHQ) in person.  
Sh. P.K. Aggarwal and Sh. Sanjay Sharma  
counsels for DDA.

Vakalatnama on behalf of DDA filed.

There are two connected matters pertaining to the  
same property. On behalf of the respondent MCD it is stated  
that after considering the clarifications received from the  
DDA dated 15.01.2014 it has been decided that the MCD  
will take action in accordance with the said report for the  
time being and in case DDA in future wants to take a  
different stand then MCD will also act accordingly.

The DDA clarification dated 15.01.2014 leads to the  
inference that a relaxation in preceding to preceding  
category set backs was given in respect of property number  
M-17, Green Park, as a special case after freezing the  
ground coverage and that benefit is now not permissible in  
future similar matters. The decision of the DDA in respect of  
that property was a specific case and not a general  
instructions or decision. However, nothing is mentioned in  
the clarification or in the accompanying documents what  
was the special circumstances that exceptional benefits  
were given to the owner of that property.

Appellant is claiming the similar benefit on the  
ground of parity but it appears also that the above benefit  
was given perhaps wrongly and in violation of the provisions  
of Master Plan to give some undue advantage to the owner  
of that property number M-17, Green Park, or due to some  
bonafide mistake. On behalf of the DDA it is stated that the  
wrong once done whether intentionally or by mistake can



B



DELHI DEVELOPMENT AUTHORITY  
(MASTER PLAN SECTION)  
6<sup>th</sup> FLOOR: VIKAS MINAR:  
NEW DELHI.

No: F.1(7)2011-MP | 247

Dt: 29/8/11

MINUTES OF 3<sup>rd</sup> TECHNICAL COMMITTEE MEETING HELD ON 11.8.2011 .  
LIST OF THE PARTICIPANTS IS ANNEXED.

Item No. 18/11:

Sub: Confirmation of minutes of 2<sup>nd</sup> Technical Committee Meeting held on 20.4.2011.

The minutes were forwarded to the members and no comments/observations has been received for any item. Therefore, the same were confirmed.

Item No.19/11:

Sub: Development of Knowledge Based Industrial Park (KBIP) at Baprola by DSIIDC in Zone K-I.

F.3(47)2011/MP

The proposal was explained by Director (Plg.) DWK and the presentation was given by the officers of DSIIDC. After detailed deliberations, it was decided that the modifications as proposed in the Agenda at Para 4.0 may be processed under Section 11(A) of DD Act '1957 for change of land use with the condition that DSIIDC will implement the project strictly as per the activities permitted in the 'Industrial' Use Zone under MPD-2021 and further actions as identified in para 4 of the Agenda. Accordingly the name of the project will also be changed from 'Knowledge Based Industrial Park' to 'Industrial Park'.

Action: Director(Plg.(Dwarka))

Item No.20/11:

Sub: Relaxation in permissible Setbacks for existing building at Plot No.M-17, Green Park, New Delhi.

F.3(36)/2010/MP/

//The proposal for relaxation in set backs from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the set backs are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Coverage on the said plot is 75% as per MPD-2021.

51.-

ATTORNEY III

20/8  
30/7/14

**SOUTH DELHI MUNICIPAL CORPORATION**  
**TOWN PLANNING DEPARTMENT**

E-Block, 21<sup>ST</sup> Floor, Civic Centre, Minto Road, New Delhi-110002

No: TP/S./SDMC/2014/5061

Dated, 28/7/14

Sh.R.K.Jain,  
The Addl. Commissioner (Plg.)  
Delhi Development Authority,  
Vikas Minar, I.P. Estate,  
New Delhi.

384/SDMC  
31/7/14

Sub:- Discussion during the meetings chaired by Vice -Chairman/DDA on 21.07.2014

Sir,

In the above referred meeting the following issues were discussed:-

- A. Stilt parking in the Residential Plot – Plotted Housing as a follow up of the High Court Orders dated 29.05.2014 in the matter of P.K. Chatterjee v/s Union of India.
- B. Relaxation of the setbacks from preceding to the preceding category of the Residential plot to achieve the Master Plan FAR and the ground coverage w.r.t. MCD court case on the subject.
- C. Development of scheme by Standard plan or modification in scheme as per development control norms of Master Plan for Delhi-2021.

Vice-Chairman desired a written reply on behalf of SDMC on the above issues. On stilt parking a detail status report along with the affidavits as filed by SDMC and MOUD is enclosed.

Besides the Hon'ble Leader of House of SDMC Sh. Subhash Arya has also requested that stilt parking should not be insisted on narrow lanes/non-trafficable roads because on such roads the movement space for vehicles for parking under stilts is not available.

As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by the Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

As regards the development control norms for shop cum residential plots, the opinion on behalf of MCD is already before the Technical Committee and the same is reproduced below:-

*"It is suggested that on all shop-cum-Residential plots ( pre 1962 or after 1962) the Residential Development Control Norms shall be applicable whether such Shop-cum-Residential Complex are designated as LSC (under MPD-2001/2021) or not. The Residential Norms shall be applicable at the time of sanction of bldg. Plans on individual plots or addition/alteration on individual plots. The parking charges shall be charged as per Mixed Use policy for providing parking in the vicinity. The Standard Plans shall be revised as per the provisions of MPD-2021 with the Development Control Norms as applicable for Residential Plots. The Basement area may be used for Commercial purpose subject to payment of charges as per Mixed Use Regulations".*

Earlier necessary action on the issues are requested for.

Encl:-As above

Yours faithfully,

Rx 28/7/14

Shamsher Singh  
Chief Town Planner  
SHAMSHER SINGH  
Chief Town Planner  
28/7/14

Copy to :-

1. Leader of House/SDMC-for kind information.
2. P.S. to Commissioner/SDMC for kind information..
3. SE(B)/SDMC
4. SE(B)/NDMC

31/7/14



-28-

Annexure - II

OFFICE OF THE REGISTRAR APPELLATE TRIBUNAL, MCD  
ROOM NO. 29, TIS HAZARI COURTS, DELHI.

Dr. No. 357  
25/7/14

388 / power  
31/7/14

Please find enclosed herewith copy of the order dated 05/5/14 passed by the Hon'ble Tribunal in bearing appeal no. 491 /ATMCD/ 12 title as Rajesh Kumar Gupta & An vs S DMC in respect of property no. C-75, Guraji Park, N-D-26

For compliance and necessary action. (N.D.O.H./D.O.D:- 29/8/14)

(G.R. Verma)  
Registrar  
Appellate Tribunal, MCD, Delhi.

1. The Monitoring Committee,  
India Habitat Centre,  
6A, Lodhi Road, Delhi
2. The Deputy Commissioner,  
Zone,  
Delhi Municipal Corporation,  
Delhi
3. The Executive Engineer (Bldg.),  
Zone,  
Delhi Municipal Corporation,  
Delhi

The Director  
(Planning)  
D.D.A.  
upto P.L.  
9/9/14

DOT  
① V.H. m. Gupta  
DDMP & DC I  
Pl. by the P/L  
As per proceedings  
i.e. meeting held  
31/07/14

By Director (P/L) AP-2  
F-3 zone  
P.C. called.

Director (P.L.) m.p.

may please see the attached order of the Appellate Tribunal dated 5/05/14. Reference is made towards letter dated 15/01/2014 of DDA which relation in preceding to preceding category set back was given. As per 'x' of the order counsel for DDA, Com. n. ash K. BHARTI provided to be counsel. 11 - P





Contd.

S. No.	Date	Order
		<p>not be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.</p> <p>Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be a possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal, in case he is not given the same benefit on the ground of parity. In that eventuality atleast the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park, who was apparently not at fault but might be suffering due to wrong decisions of the DDA.</p> <p>Counsel for DDA wants to seek instruction from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.</p> <p>Appellant also wants to consult some architect and structural engineer to find out whether there is any solution of rectification of the property in such a manner that the less damage is caused to it and proceeding category set back is achieved if for the sake of arguments it is presumed that the benefit of parity is not given to him even by the Hon'ble High Court in writ petition.</p> <p>Put up this matter on 29.08.2014 for further proceedings. Copy of the order be sent to Director (Planning) DDA and one copy be given Dasti to Counsel for DDA. Interim stay is extended till next date.</p> <p>(ASHWANI SARFAL) Appellate Tribunal:MCD</p>



20/11/14

List of participants of 08<sup>th</sup> meeting for the year 2015 of Technical Committee on 31.08.2015

**DELHI DEVELOPMENT AUTHORITY**

1. Vice Chairr ..., DDA
2. Engineer Member, DDA
3. Commissioner (Plg), DDA
4. Chief Architect, HUPW/DDA
5. Addl. Commissioner (Plg) TB&C, DDA
6. Addl. Commissioner (Landscape), DDA
7. Addl. Commissioner (Plg)AP, DDA
8. Addl. Commissioner (Plg.) UE&LP, DDA
9. Director (Plg) MP, DDA
10. Director(Plg.) Zone D
11. Director(Plg.) Zone J
12. Director(Plg.) GIS & Zone E&O
13. Dy. Director (Plg.) MPR
14. Dy. Director (Plg.) Dwarka

**OTHER ORGANIZATION**

1. Sh. A.M. Athale, Chief. Architect, NDMC
2. Sh. Mukesh Bajpai, Sr. Architect, MoHFW, Gol
3. Rajiv Kanaujia, Sr. Architect, CDB, MoHFW, Gol
4. Ms. Ritu Kapila, Architect, CPWD
5. Sh. Ashutosh Kumar Sahu, Architect, CPWD
6. Sh. Jugal Ahmed, Consultant, SDMC
7. Arunesh Upadhyay, SE(DEMS), SDMC
8. Sh. Devesh Chand, B.O/L & D.O
9. Sh. Sushil Kumar, Architect, NDMC
10. Virendra KUMAR, AE, CPWD
11. Sh. Rakesh Bhatia, ACP, Delhi Traffic Police



DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (12) 2014/MP/ 354

Date: 13.10.2014

Sub: Minutes of the 12<sup>th</sup> Technical Committee held on 24-09-2014

Item No. 59/2014

#### Confirmation of Minutes

The Minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were circulated to all the members. The observation have been received for Item No. 53/2014 and 56/2014 which are as follows:

Item No. 53/2014

Chief Town Planner (SDMC) vide letter no. TP/G/SDMC/2014/5388 dated 18.09.2014 and Addl. Commr. (Plg) Infrastructure & UC vide note No. F.3 (2)-2006/MP/Vol.I/ dated 19.09.2014 have raised some observations. Chief Town Planner (SDMC) informed that the entire land is govt. /local bodies land and therefore, the change of land use may be processed. Accordingly the minutes of the Item No. 53/2014 have been modified which are as under:-

*"The proposal was presented by Chief Town Planner (SDMC), after detailed deliberation the Technical Committee agreed for the proposal of the redevelopment plan of Parda Bagh" Considering the decision already taken in MCD and recommended the proposal for Change of land use under section 11-A of DD Act 1957.*

Action Dir. (Plg) Zone A & B  
Chief Town Planner (NDMC)

Item No. 56/2014

- i) Addl. Commr. (MP&UE) has requested for modification in the minutes for item NO. 56/2014 stating that, there are no provision for relaxation of set back from preceeding to preceeding category in residential - plot/ plotted housing in MPD-2021. Therefore, it will require modification in the Master Plan - 2021. Accordingly minutes for item no. 56/2014 has been modified which are as under.

*"The proposal was presented by Director (Plg) MP after detailed deliberation Technical Committee recommended the proposal for further processing under section 11 of DD Act 1957 for modification in MPD-2021."*

Action: Director (Plg) MP

The minutes of the 11<sup>th</sup> Technical Committee meeting held on 02.09.2014 were confirmed with above modifications.



- 6 -

*be either withdrawn or modified without the permission of this court. Now the Union of India has mooted a proposal which would necessarily mean modification of the said Circular dated 27.04.2011. The learned counsel for the DDA as well as the learned counsel for the South Delhi Municipal Corporation as well as the New Delhi Municipal Council have also been heard. They have stated that any modification that would be made to the Circular of 27.04.2011 would have to be done after following the due process of law. Ultimately, an order will have to be passed by the competent authority / authorities. We are not giving our views either way on the proposal. It is for the appropriate authorities and ultimately for the competent authorities to consider the same and to pass appropriate order in accordance with law. All that we are permitting is that the proposal for modification be carried through the process of consideration and ultimate decision on the same. The impediment which we had raised by virtue of our order dated 26.02.2013 on considering any modification, is now erased in the above terms.*

*Till a final decision is taken by the competent authority, the Circular dated 27.04.2011 shall continue to operate. If the petitioners are aggrieved by the ultimate decision that would be taken by the competent authority they would be at liberty to file a fresh petition. The learned counsel appearing on the side of the respondents have also stated that the process of modification would be taken up expeditiously."*

- d) As a follow-up action on the Court order, a meeting was convened by the VC, DDA with the officers of Municipal Corporation of Delhi & DDA wherein a considered view emerged that in view of the provisions for handicaps and single family residing on a single plot, DDA may take up the following proposal for modifications in MPD-2021 as per DD Act, 1957 w.r.t. Stilt and parking provisions in para 4.4.3A. Residential Plot-Plotted Housing as under:

vii. Stilts:

- i) Stilt parking should not be mandatory on plots upto 200sq.mt.
- ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory.
- iii) For all plots, other than as provided in i. & ii. Above, provisions of stilt parking may be mandatory.

viii. Parking: Parking space shall be provided for within the residential plot as follows:

- a. 2 equivalent car space (ECS) in plot of size 250-300 sq.m.
- b. 1 ECS for every 100sq.m. built-up area, in plots exceeding 300 sq.m. provided that, if the permissible coverage and FAR is not achieved with the above -mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.

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ITEM 140.46/14/2010

- 1 -

DELHI DEVELOPMENT AUTHORITY  
MASTER PLAN SECTION,  
6<sup>TH</sup> FLOOR, VIKAS MINAR,  
I.P. ESTATE, NEW DELHI - 110002

F.1 (08) 2015/MP/ 278

Date: 01.09.2015

Subject: Minutes of the 8<sup>th</sup> Technical Committee held on 31.08.2015

The 8<sup>th</sup> meeting of Technical Committee was held under the Chairmanship of V.C., DDA on 31.08.2015. The List of the participants is annexed at 'Annexure- A'.

At the outset, members welcomed the Vice Chairman, DDA for chairing the first meeting of the Technical Committee after assuming charge.

Item No. 40/2015

Confirmation of Minutes:

Since no observations/ comments were received, the minutes of the 7<sup>th</sup> Technical Committee meeting held on 24.07.2015 were confirmed as circulated.

Addl. Commissioner (Plg.) TB & C informed regarding the modifications required in the minutes w.r.t. the Item no. 02/2015, sub-para (i) discussed in the 1<sup>st</sup> Technical Committee meeting held on 22.01.2015. It was informed that in the decision in the above minutes w.r.t. the item no. 02/2015 Sector-1 to 19 Rohini was inadvertently mentioned as Sector-1 to 9 Rohini. As this item already stands approved by the Authority in respect of Sector 1 to 19 Rohini, it was decided that the sub-para (i) of item no. 02/2015 may be read as under:

*"(i) Building activity of the development area No. 148 consisting Sector-1 to 19 Rohini (excluding the already de-notified area) be transferred to concerned Municipal Corporation."*

F.1 (07) 2015/MP

Item No. 41/2015

Proposed change of land use of an area measuring 809sq.m.allotted to Bhartiya Janta Party (Delhi Pradesh) at Pocket-V, DDU Marg from 'Residential (Nursery School)' to 'Public & Semi -Public facilities', falling in Planning Zone- D.

F.20 (02)/2015/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'

Item No. 42/2015

Proposed change of land use in respect of the area measuring 1.40 ha.(3.462 acres) from 'Residential' to 'Government Office' Proposed for dedicated office building at Curzon Road, Kasturba Gandhi Marg, New Delhi, falling in Planning Zone- D.

F.3(68)/2008/MP

The proposal was presented by Director (Plg) Zone 'D'. After detailed deliberation, the proposal as contained in the agenda was recommended by the Technical Committee for further processing under Section 11-A of DD Act 1957.

-Action: Director (Plg) Zone 'D'



the provision of Toilet on the stilt floor is being considered in Building Bye-laws under revision.

After detailed deliberation Technical Committee recommended the proposal as given in Para 3 of the Agenda for further processing to the Authority for modification to the MPD-2021 under section 11A of DD Act, 1957."

#### 4.0 Follow-up action:

Based on the recommendations of Technical Committee, the draft agenda for the Authority meeting was put up for approval of Hon'ble Lt. Governor, Delhi and in note on file Hon'ble Lt. Governor, Delhi observed the following:

- "1. When AC(TB&C), DDA informed that the provision of toilet on the stilt floor is being considered in the building bye-laws under revision, then how could the Technical Committee recommended the proposal for further processing to the Authority.
2. Before this matter is put up to the Authority for decision, a meeting should be convened at Raj Niwas to be attended by the officials of MCD, DDA and Director, Fire Service."

With respect to above observations of Hon'ble Lt. Governor, the matter was further discussed among the Senior officers of DDA and it was opined to modify the proposed modifications as under:

Chapter 4.0: Shelter		
Para4.4.3 Control for Building / Buildings within Residential Premises		
A. Residential plot-Plotted Housing		
Existing Provisions	Proposal approved in Technical Committee meeting on 22.01.2015 vide Item No. 04/2015.	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	vii. Stilts: i) Stilt parking should not be mandatory on plots upto 200sq.mt. ii) In plots sizes above 200sqm., if construction of buildings is of single storey, stilt parking should not be mandatory. iii) For all plots, other	vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. In the area under stilt which can not be utilized for parking, provision of toilet is permissible. Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be



Officers of Fire Department, GNCTD telephonically regretted their absence during the meeting due to some other important appointments. It was decided that their views may be obtained before circulation of the minutes.

The meeting ended with thanks to the Chair.



(S.B. Khodankar)  
Director (Plg.) MP&DC

To:

1. Vice Chairman, DDA
2. Engineer Member, DDA
3. Finance Member, DDA
4. Commissioner (Plg.), DDA
5. Commissioner (LD), DDA
6. Commissioner (LM), DDA
7. Chief Planner, TCPO
8. Chief Architect, HUPW DDA
9. Chief Architect, NDMC
10. Chief Engineer (Property Development ), DMRC
11. Chief Engineer (Elect.), DDA
12. Addl. Commr. (Landscape), DDA
13. Addl. Commr. (Plg.) MP&MPR, DDA
14. Addl. Commr. (Plg.) TB&C, DDA
15. Addl. Commr. (Plg.) AP, DDA
16. Addl. Commr. (Plg.) UE&LP, DDA
17. Secretary, DUAC
18. Chief Town Planner, SDMC, NDMC, EDMC
19. Sr. Architect, (HQ-1), CPWD, Nirman Bhawan
20. Dy. Commr. of Police (Traffic) Delhi
21. Land & Development Officer, (L&DO)
22. Director Fire Service, GNCTD

## Chapter 4.0: Shelter

### Para 4.4.3 Control for Building / Buildings within Residential Premises A. Residential plot-Plotted Housing

Existing Provisions	Proposed Modifications
vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.	vii. Stilts: If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building. In the area under stilt which can not be utilized for parking, provision of toilet is permissible. Stilt parking shall be mandatory in the plot size above 200sqm. However in such plots if construction of building is single story, stilt parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above - mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

6.0 The proposal as contained in para 5.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act.1957.

Asstt. Dir. (Plg.)/MP&DC

Dy. Dir. (Plg.)/MP

Director (Plg.)/MP

Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Stilt Parking in the Residential Plot – Plotted Housing

File No. F.20(20)2014/MP

### 1.0 Background

- a) MCD with prior approval of Hon'ble LG of Delhi, vide Circular No. CCIB/2011/D-79 dated 27.4.11 decided to make the provisions of stilt parking mandatory for the Residential Plot measuring 100sqm. and above.
- b) The matter was challenged in the Hon'ble High Court of Delhi as a part of court matter titled P. K. Chatterjee V/s Union of India and Ors. W.P.(C) 4598/2010 and CM Nos.2391/2013, 10246/2013, 12768/2013 and 1399.2014. Based on the various meetings, on the subject, Ministry of Urban Development, MCD and DDA submitted their affidavits in the Hon'ble High Court of Delhi. The formulation for provision of stilt parking in residential plots, as contained in the affidavits of MoUD and DDA, was as under:
- Stilt floor for parking need not be provided in plot sizes upto 100 sq.m.
  - For plot sizes from 100 sq.m. upto 500 sq.m. stilt floor shall be mandatory to be used for parking of vehicles for more than 2 dwelling units.
  - For plot sizes of 500 sq.m. and upto 1000 sq m., stilt floor shall be mandatory where the number of dwelling units is more than 4.
  - In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site /sites for construction of multi storied car parks catering to the requirement of parking.
  - Parking lots may be developed under recreational areas subject to requisite clearance from the Department of Environment, GNCTD and using appropriate design and technology options to ensure that rainwater is harvested optimally and used for re-charging ground water aquifers.
- c) The matter was disposed off by the Hon'ble High Court of Delhi vide the following orders dt. 29.05.2014:
- "We have heard the learned counsel for the parties at length. The question is with regard to the Circular dated 27.04.2011 which was issued by the Chief Engineer (Building), MCD. Earlier we had passed an order on 26.02.2013 whereby we had directed that the said Circular should not*

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1.5A meeting was held under the Chairmanship of Chief Secretary, Delhi on 12/3/2015 in compliance of the directions NGT order dated 26/02/2015 in Original Application No. 305 of 2013 titled, "Balam Singh Rawat vs. GNCTD & Ors.", wherein following was decided with reference to the action on part of DDA:

*"as the Master Plan of DDA does not have provisions for TSDF, it was decided that DDA should make provisions in the Master Plan."*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi prescribed in the Chapter 7: Industry, Annexure 7.0 (iii) Prohibited / Negative list of Industries, Chapter 9: Environment and Chapter 14: Physical Infrastructure in Para 14.6 Solid Waste under footnote of Table 14.6 of MPD-2021 which are as follows:

### 2.1 Chapter 7.0: Industry

In the list of Prohibited / Negative list of Industries annexed in Chapter 7 of MPD-2021:

*"Industries manufacturing the following shall be prohibited within National Capital Territory of Delhi. However, Environment Department, GNCTD in consultation with Industries Department, GNCTD shall take the final decisions to ascertain a particular activity / industry / factory to fall under the said list as per the parameters / norms set by the CPCB and adopted by the DPCC."*

Sl. No. 46 of the Prohibited / Negative list:

*'Hazardous waste processing viz. hospital / tertiary health care centre medical / industrial waste'*

Further, it is quoted in the note under the list of Prohibited / Negative list of Industries:

- i. A public utility service involving any of the activities referred to above shall be permitted subject to environmental laws.
- ii. Further additions / alterations to the list of Prohibited Industries could be made if considered appropriate and in public interest by the Central Government to do so.
- iii. However, continuity of any type of furnace shall be within set parameters of CPCB & DPCC."

### 2.2 Chapter 9: Environment

*"A clear approach towards management of 4 types of wastes generated in Delhi, namely Solid Waste, Hazardous Waste, Bio-Medical Waste and Electronic Waste, should be adopted. The approach should take into account the need for adopting the Clean Development Mechanism (CDM) and the awareness of the carbon credits that can be earned and encashed through a planned and organized mechanism, to be developed for this purpose."*

In addition to above existing paras a. & b. the following para c. to be added:

c. In respect of plotted development up to 100sq.m. , the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.

(e) During the course of meeting, South Delhi Municipal Corporation (SDMC) also has submitted a brief proposal as under:

*"a fresh proposal linking number of floors co-relating the same within the adequacy of parking provision as per Master Plan -2021 be mooted, which implies that if the proposal is for construction of ground floor and first floor (with or without basement), stilt provision should not be insisted upon, as parking / ECS requirement will be lesser, as compared to the proposals from ground floor to third floor requiring fulfillment of parking / ECS requirement".*

## 2.0 Provisions of Master Plan for Delhi 2021

In the Master Plan for Delhi-2021, the provisions for Stilt Parking, for different plot sizes, are governed by the development control norms prescribed in the Chapter 4: Shelter under clause 4.4.3 i.e. Control for Building / Buildings within Residential Premises of MPD-2021 which are as follows:

### A. Residential Plot – Plotted Housing

vii. **Stilts:** If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.

viii. **Parking:** Parking space shall be provided for within the residential plot as follows:

- a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m.
- b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.

## 3.0 Decision of Technical Committee

The matter was discussed in the Technical Committee in its meeting held on 22.01.2015 vide Item No. 04/2015. The decision of the Technical Committee are as under:

*"It was suggested that Toilets may be permitted in the stilt as it is being permitted in many other cities, Addl. Commissioner (TB & C), DDA informed*



building.	iii) For all plots, other than as provided in i. & ii. above, provisions of stilt parking may be mandatory.	story, stilt parking shall not be mandatory.
viii. Parking: Parking space shall be provided for within the residential plot as follows: a) 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b) 1 ECS for every 100 sq.m. built up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above - mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 100 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking.	viii. Parking: Parking space shall be provided for within the residential plot as follows: a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sq.m. b. 1 ECS for every 100 sq.m. built-up area, in plots exceeding 300 sq.m., provided that, if the permissible coverage and FAR is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed. c. In respect of plotted development up to 200 sq.m., the local body concerned may identify suitable site / sites for construction of multi storied car parks catering to the requirement of parking. Actual cost of such parking shall be payable by the owners of the plots.

#### 5.0 Proposal:

Based on the examination and observation of Hon'ble L.G., Delhi, the following modification are proposed to be made in MPD-2021 under Section-11A of DD Act, 1957.

2



- 2.5 As per table 8.2 of MPD-2021, the Development Control Norms for the 'Government Office' as per MDP-2021 area are as under:

Category	Ground Coverage	FAR	Height (m)	Parking Standard ECS/100 sq.m. of floor area	Activities permitted
Integrated Office Complex	30	200	NR, subject to approval of AAI, Fire Department and other statutory bodies	1.8	Government Offices, Watch And Ward Residence/ Residential Maintenance Staff (Maximum 5% of FAR), Retail Shop Of Chemist, Book and stationery, Consumer Store, Canteen, Post Office, Bank Extension Counter etc. Public sector Undertaking/ Commercial Offices (restricted to 10% of the total floor area)

### 3.0 JUSTIFICATION & PUBLIC PURPOSE TO BE MET THROUGH THIS PROPOSED CHANGE OF LAND USE

#### 3.1 Justification & Public Purpose to be met

1. The land has been allotted by Land & Development Office (L & DO) to the Ministry of New and Renewable Energy for the construction of 'Akshay Urja Bhawan'.
2. As per the report received from MNRE, it is mentioned that *MNRE is the nodal Ministry of Govt. of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of Energy to supplement energy requirements of the country. MNRE is having its main office in Block 14 of CGO Complex. Apart from this, due to paucity of space in Block 14, some other branches are functioning from Block 3 and Paryavaran Complex in CGO Complex. The senior officers are sitting in two differently located buildings sometimes; it becomes difficult to interact with them particularly as and when any emergency situation arises.*

*Keeping in view the growing importance of energy sector and the fact that proper working conditions are absolutely necessary for human resource to be more productive, Government is also committed to give thrust to renewable sources of energy in order to reach 120 crore population in the country. Being the nodal Ministry of the Government of India for all matters relating to new and renewable energy, the Ministry is promoting green campuses, green buildings and net zero energy buildings. In order to demonstrate all this, it is important that the building in which MNREs own office is located, has all the features of renewable energy which MNRE is promoting. Therefore, MNRE would like to construct an eco-friendly, energy efficient and net zero building.*

Sub: Proposed modifications in MPD-2021 w.r.t. provisions for Treatment Storage & Disposal Facility (TSDF) for Hazardous waste of Delhi.

File No. F.20(08)2015/MP

## 1.0 Background

- 1.1 Secretary (Environment) cum-Chairman, Delhi Pollution Control committee (DPCC), GNCTD vide letter No. F12(367)/Env/MoEF CSS/10/881 dt.25.02.2013 addressed to VC,DDA, has requested *"to identified the appropriate sites for development of TSDF (Treatment, Storage & Disposal Facility) for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the public interest at large."*
- 1.2 Subsequently, Secretary (Environment) cum-Chairman, DPCC vide letter dated 04.07.2014 has again requested *"to identify and allot about 50 acres of land at appropriate sites for development of TSDF for disposal of hazardous waste of Delhi and incorporate the provision for such sites in the MPD-2021 so that the problem of hazardous waste disposal for Delhi is solved effectively in the larger public interest."*
- 1.3 In compliance to the directions of Hon'ble NGT passed vide order dt. 01.10.2014 in Original Application No. 305 of 2013 entitled, "Balam Singh Rawat vs. GNCTD & Ors." a meeting was convened by Secretary (Environment), GNCTD on 03.11.2014 with the Department of Environment of various neighbouring states i.e. Haryana, Uttar Pradesh & Rajasthan to discuss the issue regarding the sharing of existing TSDF sites in their states with Delhi. In the meeting it was observed that:  
*"Since it is important land related matter, the meeting must be chaired by a High Level Officer from Ministry of Environment and Forests, Government of India. Secretary (Environment), Govt. of NCT of Delhi further added that Ministry of Urban Development, Government of India, should direct DDA (the land owning agency in case of Delhi) to earmark and allocate suitable land for setting up of TSDF for Hazardous Waste of Delhi. Joint Advisor (PHE), Ministry of Urban Development, Government of India present in the meeting agreed to it."*
- 1.4 In response to D.O. letter dt. 12.12.2013 of Secretary (Environment) cum-Chairman, DPCC addressed to VC,DDA, the Planning Deptt., DDA vide letter No. F.3(03)2015-MP/134 dt. 10.03.2015 informed Secretary (Environment), GNCTD that the activities like hazardous waste processing is listed at Sl. No. 46 of the Prohibited / Negative list of Industries annexed with Chapter 7 i.e. Industry of MPD-2021. However, based on the notes quoted under the above list, Secretary GNCTD was requested to provide necessary comments / precise formulation in consultation with CPCB / DPCC for suitable incorporation in MPD-2021.

#### 4.0 Proposal

##### Change of land use:

In view of L & DO letter dated 12.06.2015, the land use in respect of an area measuring 2.76 acres opposite to CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-D, may be changed from 'Residential' to 'Government (Govt. Office)' for the construction of Akshay Urja Bhawan under Section 11A of DD Act, 1957. The boundary description of the same is as follows (Refer location map and detail Survey plan at Annexure 'A'):

Location	Area	Land use as per MPD-2021/ ZDP	Land use Changed to	Boundaries
1	2	3	4	5
Proposed Akshay Urja Bhawan for the Ministry of New and Renewable Energy, opposite CGO Complex, opening on Road to JLN Stadium, New Delhi, falling in Planning, Zone-'D'	1.12 ha. (2.76 acres)	As per MPD-2021 - 'Residential'	'Government (Govt. Office)'	North: Dayal Singh College South: 13.5 m wide Road and Pragati Vihar Hostel East: Proposed/ under construction NIA Building West: Lodhi Road Complex and Park
		As per approved Zonal Development Plan of Zone-D prepared under MPD-2001- 'Transportation (Bus terminal)'	'Government (Govt. Office)'	

#### 5.0 Recommendation

Proposal as given in para 4.0 above may be considered by the Technical Committee so that the proposed change of land may be processed further under Section 11A of DD Act, 1957.

  
Asstt. Director (Plg.)  
Zone-D

  
Dy. Director (Plg.)  
Zone-D

  
Director (Plg.)  
Zone-F, H & D



## 2.3 Chapter 14: Physical Infrastructure

"The other type of specialised waste includes biomedical waste; hazardous waste from industries; construction debris and fly ash; meat processing centre etc. Disposal of bio-medical waste is to be as per bio-medical waste rules and hazardous waste requires special handling according to hazardous waste handling rules. Proper dumping, recycling and reuse of construction debris and fly ash have to be linked. Meat processing centre waste is to be recycled for chicken feed etc.

Further, some more viable alternatives to landfills are vermiculture, fossilisation, composting etc. Waste Minimisation Circles (WMCs) should be constituted and made effective. Implementation and monitoring & Bio-Medical Wastes (Handling & Management) Rules, 1998, for hospitals, tertiary health care centres, nursing homes, and clinics should be taken up. The sites, which are filled up or are in operation, are given in Table 14.7. The filled up sites may be reused for plantation or as recreational area. The proposed sites for sanitary landfill and compost plants are to be finalised by the MCD."

### 3.0 Proposal:

In view of the decision taken in a meeting held under chairmanship of Chief Secretary, GNCTD referred in para 1.5 above, the following modification in MPD-2021 is proposed to be processed under Section 11-A of DD Act, 1957 for issuing the public notice inviting objections / suggestions from public:

MPD 2021	
Chapter 7.0-Industry	
Annexure III: Prohibited / Negative List of Industries	
Existing Provisions	Proposed Modifications
46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste	46. Hazardous waste processing viz. hospital/ tertiary health care centre/medical/industrial waste. (However, modern hazardous waste processing plant with latest technology shall be permitted subject to all clearances including environmental clearances from concerned agencies. These will be dependent strictly on the need of the NCT of Delhi.)

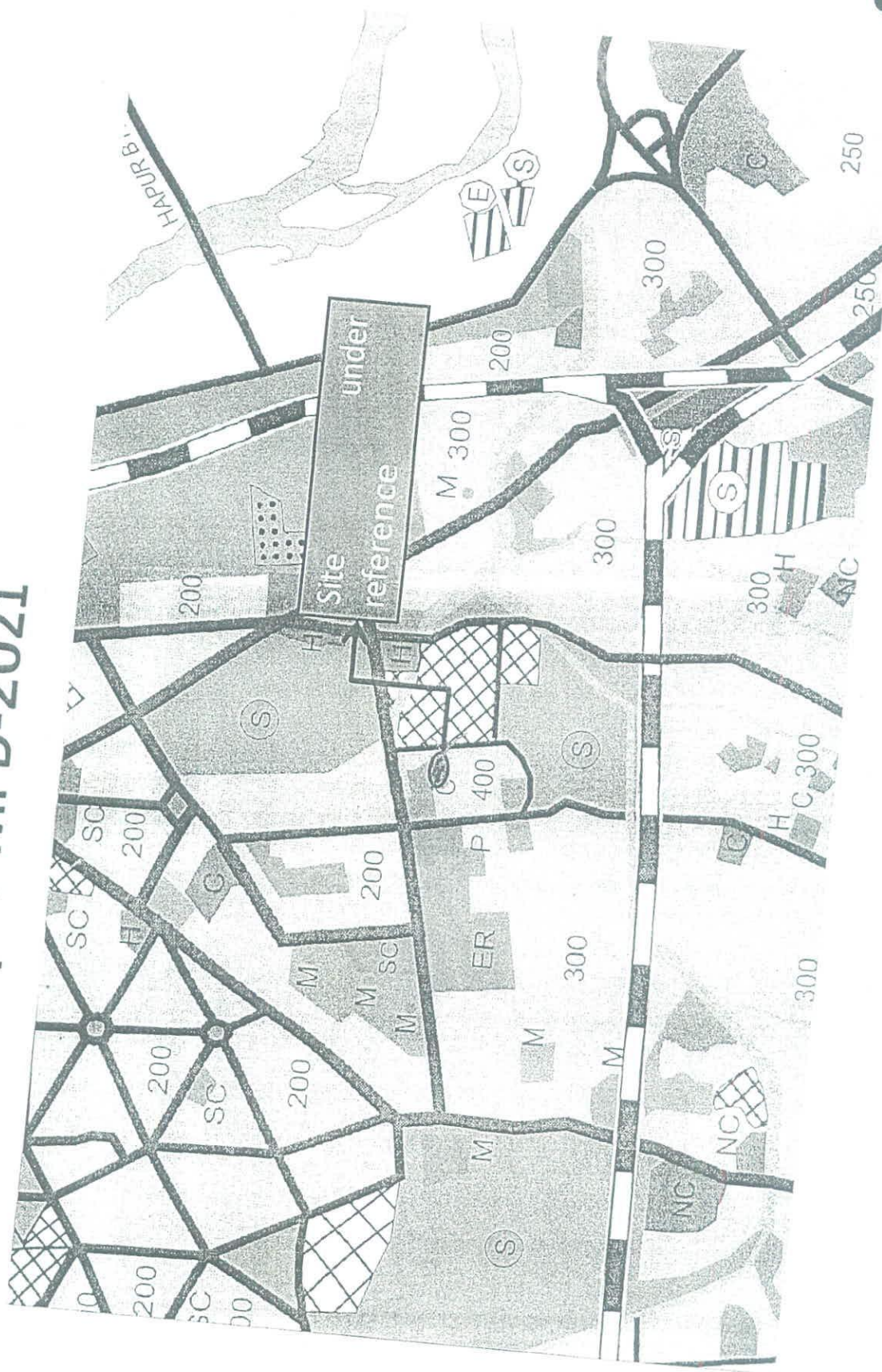
4.0 The proposal as contained in para 3.0 above is put up for consideration of the Technical Committee for further processing the same under Section 11A of DD Act, 1957.

Asstt. Dir. (Plg.)/MP&DC

Dy. Dir. (Plg.)/MP

Director (Plg.)/MP

# Location as per MPD-2021





Sub: Proposed change of land use of an area measuring 1.12 ha. (2.76 acres) from 'Residential' to 'Government (Govt. Office)' opposite CGO Complex, New Delhi for the construction of 'Akshay Urja Bhawan' for the Ministry of New and Renewable, Government of India in Planning, Zone-D.

File No. F.20 (11)2015/MP

## 1.0 BACKGROUND

- 1.1 MoUD, GOI vide letter dated 18.05.2015 forwarded a letter dated 12.05.2015 received from the Ministry of New and Renewable Energy (MNRE), addressed to MoUD, GOI for necessary action regarding allotment of land for the construction of 'Akshay Urja Bhawan' in New Delhi.
- 1.2 Further, MNRE vide letter dated 23.06.2015 enclosing therewith Prime Minister Office reference dated 09.06.2015 requested L&DO, MoUD, GOI that necessary procedure for change of land use from 'Bus Terminal' to 'Government Office' may be initiated and the necessary approval for the change of land use be accorded.
- 1.3 L &DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis.

## 2.0 EXAMINATION

- 2.1 The site under reference falls in Planning, Zone-D and outside the 'Lutyens Bungalow Zone (LBZ)'.
- 2.2 The plot under reference is located opposite CGO Complex, New Delhi and adjacent to the proposed office building of National Investigating Agency.
- 2.3 As per MPD-2021, the land use of the site under reference is 'Residential' & as per approved Zonal Development Plan of Zone 'D' prepared under MPD-2001, the land use of the site under reference is 'Transportation (Bus Terminal)'.
- 2.4 As per L&DO allotment letter dated 12.06.2015, land measuring 2.76 acres opposite CGO Complex, New Delhi to the Ministry of New and Renewable Energy for construction of 'Akshay Urja Bhawan' opposite CGO Complex, Lodhi Road, New Delhi on 'as is where is' basis' subject to the terms and conditions that the plot of land so allotted to MNRE for construction of 'Akshay Urja Bhawan' shall be used only for the purpose for which it is allotted and not be further transferred by MNRE.



#### 4. STATUS REPORT

The information based on the format provide by MoUD vide letter dated 07.04.2015 is given below:

Sl.No		Status
I.	Whether the land is government or private and who is the land owning agency?	Land acquired and possession with DDA for planned development of Rohini Ph.-III, IV & V. Land is available and with Engineering Wing DDA.
II.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	A request from RWA's has been received for development of Sports Complex in this area. At present DDAs Sport Complex is located opposite Sector-IX. As per ZDP for Zone-M, Sports Facility has been proposed in Sector-34 which is located at distance of about 5-6 km & is yet to be developed.
III.	Whether a responsible office from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	Total Station Survey has been provided by the Engineering Wing. The site has been inspected by Dy. Director(Plg.), Dy. Director (Survey) of Rohini Project. The site is without any development.
IV.	What is the public purpose proposed to be served by modification of MPD and/or change of land use?	This facility will cater to the population residing in Sectors-20 to 25 and population of Sector-32, 36, 37, 38 where the plots have been allotted recently.
V.	What will be impact of proposal on the ZDP/MPD and whether the changes are in consonance with the approved plans and policies?	The proposal is within the provision of MPD-2021. The FAR & Ground coverage for Sports facility is comparatively low and will also provide for large open spaces & landscape areas with tree plantation.
VI.	What will be proposal's impact/implications on general public e.g. Law & order etc.?	This will be additional facility for the general public & will not have any impact on Law & order.
VII.	Whether any court cases are ongoing on the land mentioned in proposal? Full details be attached.	The scheme for this area has been prepared in 2004 and Total Station Survey has been provided by the Engineering Wing in 2014. No court case/ownership dispute has been reported.

#### 5. PROPOSAL

The following modifications is proposed in Master Plan for Delhi-2021 & Zonal Development plan for Zone-M under Section-11-A of DDA Act 1957.

Location	Area (in Ha.)	Landuse (as per MPD-2021 & ZDP of Zone-M)	Proposed Landuse	Boundaries
Sector-33 Rohini, Ph-IV.		Recreational	Public & Semi Public Facilities. (PS3) Sports Facilities/ Complex/ Stadium/ Sports Centre	North- Sector-32, Rohini. East- 30.0 m. wide green belt, and 80.0 m wide road R/W(UER-III) South- Under Ground Reservoir (existing) West- Sector-33, Rohini.

3.2 MOUD, GOI vide letter No. K-13011/3/2012-DD-IB dated 07.04.2015 has issued the following instructions with respect to the proposal sent by DDA for amendment to MPD-2021 and change of land use cases for final notification under Section 11A of Delhi Development Act, 1957. The para-wise reply is as follows:

S.No.	Information asked by MOUD vide letter dated 07.04.2015	Reply
1.	Whether the land is government or private and who is the land owning agency?	It is a government land and is with Land & Development Office (L&DO), MoUD, GOI.
2.	On whose request the change of land use case or modification to MPD-2021 has been initiated?	L&DO, MoUD, GOI vide letter dated 12.06.2015 has allotted land to MNRE for the construction of 'Akshay Urja Bhawan'. On the basis of this, the proposed change of land use of the site under reference has been initiated.
3.	Whether a responsible officer from DDA (give details) was deputed for inspection of site and a copy of inspection report be provided.	The site under reference was inspected by Addl. Commr. (Plg.) AP, Director (Plg.) F,H & D-Zone and Asstt. Director (Plg.) Zone -D on 14.10.2015. The report is as under: <ul style="list-style-type: none"> <li>At present, the site is accessible from Jawaharlal Nehru Marg having 45 m R/W. The entry to the site is through a 12.0 m wide road.</li> <li>There is a temporary structure of 'Golden Jubilee Hall' of CRPF on one side of the site and on the other side; there are tin sheds and barracks existing on the site and also, a fountain exists at the site.</li> <li>Some part of the site is maintained as green area.</li> </ul>
4.	What is the public purpose proposed to be served by modification of MPD and/ or change of land use?	MNRE is the nodal Ministry of Government of India for all matters relating to New and Renewable Energy for developing and deployment of New and Renewable sources of energy to supplement energy requirements of the country and therefore, it is for larger benefit of the people at large.
5.	What will be impact of proposal on the ZDP/ MPD and whether the changes are in consonance with the approved plans/ policies?	As such, no impact of proposal on the ZDP/ MPD.
6.	What will be proposal's impact/ implications on general public eg. Law & order etc.?	No adverse impact on law and order are anticipated.
7.	Whether any court cases are ongoing on the land mentioned in the proposal? Full details be attached.	It relates to the land owning agency i.e. L&DO.



दिल्ली विकास प्राधिकरण  
DELHI DEVELOPMENT AUTHORITY  
रोहिणी योजना कार्यालय  
ROHINI PLANNING OFFICE

Location	Area (in Ha.)	Land (in use and proposed use)	Proposed Landuse	Boundaries
Sector 24, North Pradesh	4.27-08 -09-10	Recreational	Public & Semipublic Parks, Playgrounds, Stadium/Sports Centre	North: Sector-23, Rohini East: -30 m. wide Green belt, & 80 m. wide road S/W (Kailash) South: Under Ground Water West: Sector-23, Rohini

**NOTE:**

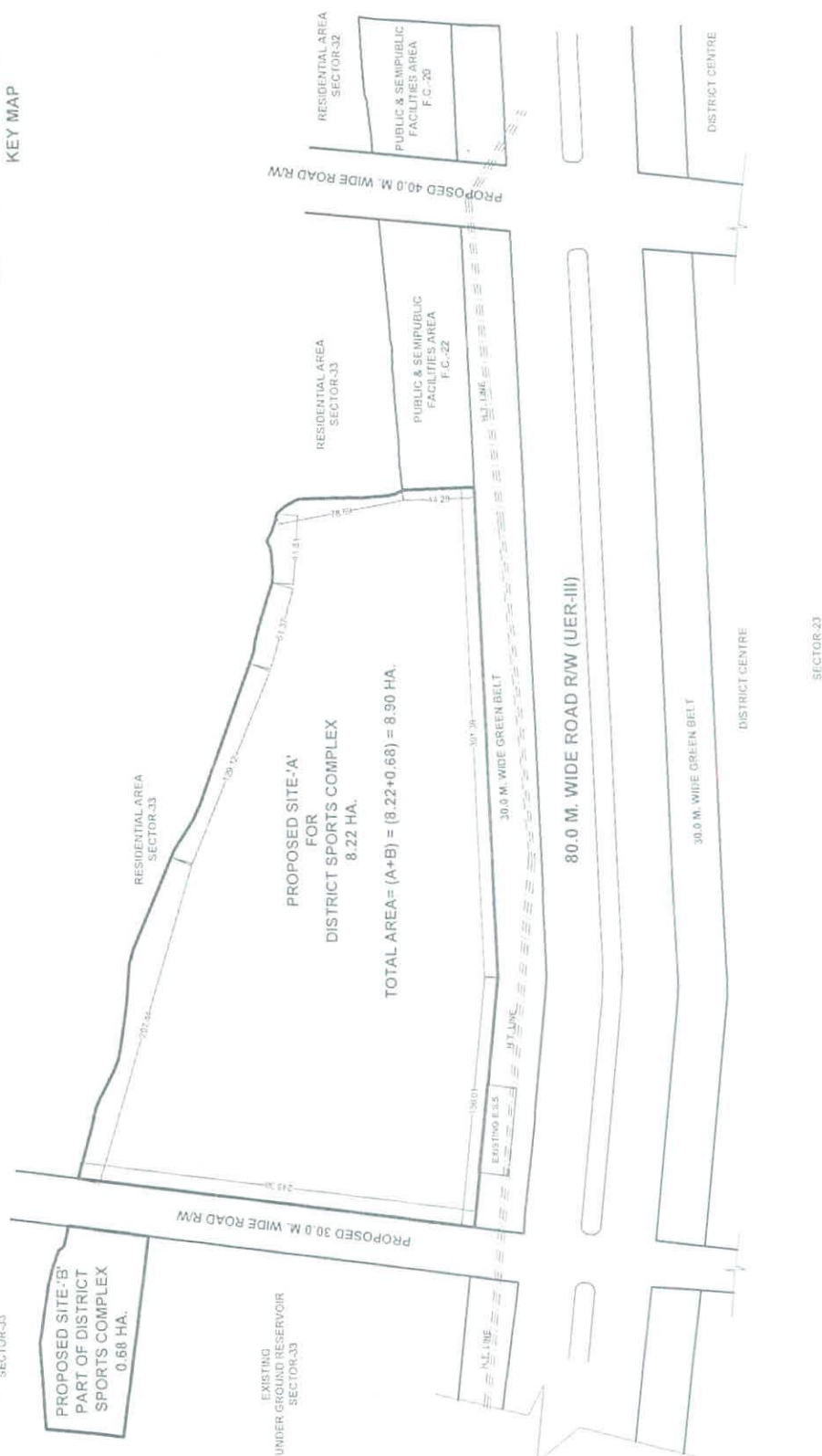
1. THIS DRAWING IS BASED ON TOTAL STATION SURVEY FORWARDED BY  
DR. DIRECTOR, (AWCT), 11, VIVEK NAGAR, NO.72/109/SAIBABAI/VIJAYN/DOA/39  
(DATED 24.02.2015)
2. ALL DIMENSIONS ARE IN METERS.  
ONLY WRITTEN DIMENSIONS ARE TO BE FOLLOWED.

FILE NO.: DIR.(PLG.)R/4033/2005

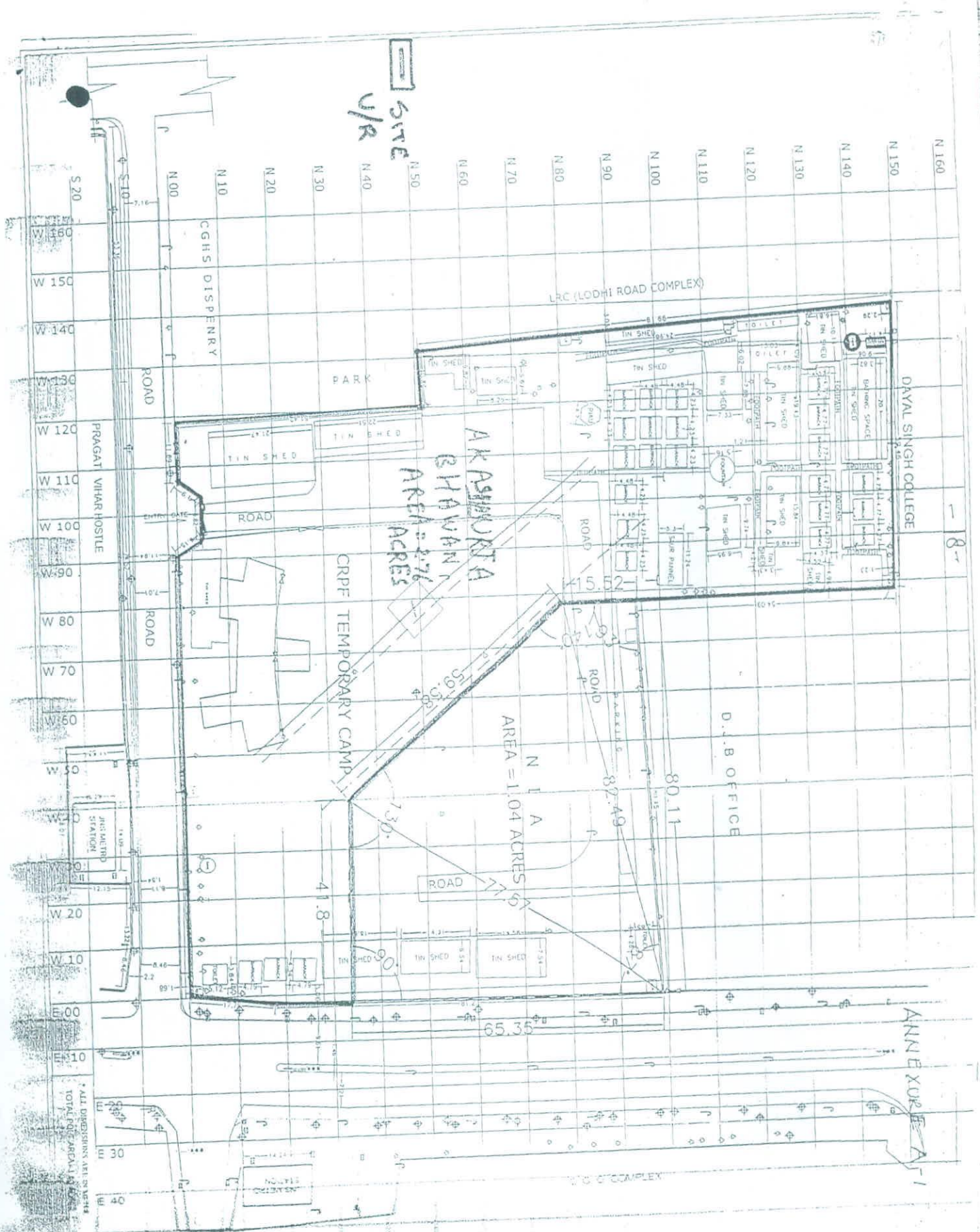
CHANGE OF LANDUSE FROM  
" RECREATIONAL" TO " PUBLIC & SEMIPUBLIC  
FACILITIES" (PS3) SPORTS COMPLEX IN  
SECTOR-33, ROHINI, PHASE-IV

[illegible]

## KEY MAP







Site  
u/r

18

ANNEXURE A-1

\* ALL DIMENSIONS ARE IN METERS  
TOTAL AREA 1.04 ACRES



- due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake cannot be repeated again in case of the appellant even if his case is referred to Technical Committee of the DDA for consideration.
- ii. Appellant stated that he may approach the Hon'ble High Court in writ petition for violation of the Article 14 of the Constitution of India due to non grant of similar benefit on the basis of parity and there may be possibility that the DDA officials will be put in the trouble in that circumstances and it may also be possible that the wrong special benefit given in favour of owner of property No. M-17, Green Park may be withdrawn and his property may be also declared illegal.
  - iii. In that eventually at least the DDA may be asked by the High Court to rectify its mistake once committed. In case, such things happens then another complication will arise in the form of litigation to be instituted by the owner of the property of M-17, Green Park.
  - iv. Counsel for DDA wants to seek instructions from the department in view of the above situation and also wants to explore the possibility of any solution of similar type of problems which may have arisen in number of cases including to amend the Master Plan.

1.5 In view of Para 4. above, the matter was discussed in the meeting held on 21.07.2014 under the Chairmanship of V.C., DDA wherein the officers of MCD & DDA were present, wherein it was decided to "to prepare a modification in MPD-2021 in para 4.4.3A where Para (c) may be added that in case the permissible ground coverage is not achieved in case of (a) above i.e. preceding category setback, the Technical Committee may consider further relaxation of setbacks".

1.6 With reference to above mentioned SDMC vide letter No. TP/G/SDMC/2014/5061 dt. 28.7.2014 submitted the following (Annexure-III): "As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

1.7 Accordingly, the matter was considered & approved in the Technical Committee in its meeting held on 02.09.2014 vide Item No. 56/2014 and the minutes of the same were confirmed in the next Technical Committee held on 24.08.2014 with certain modifications. The decision taken therein is as follows (Annexure-IV): "The proposal was presented by Director (Plg)MP after deliberation Technical Committee recommended the proposal for further processing under Section 11-A of DD Act, 1957 for modification in MPD-2021."

Subject: Proposed Sports Complex in Sector-33 (Ph-Iv & V), previous Sector-23 (Ph-III).

F.20(18)/2015-MP

### 1. BACKGROUND

- I. A request from Confederation of RWAs of Sector-20 to 25 of Rohini has been received, forwarded by Hon'ble Member of Parliament for development of Sports Complex in this area. It has been forwarded by Raj Niwas.
- II. As per approved composite plan of sector-20 to 25, Rohini (Ph-III) the site under reference has been earmarked for Recreational purpose.
- III. The plan prepared by Landscape unit was approved in 231<sup>st</sup> Screening Committee held on 15.03.2004 vide item no. 33:2004 with the direction that "No construction shall be carried out in the Sport center only open field and jogging track shall be developed".
- IV. The Sports Complex plan approved on 15.03.2004 facilities such as open field/ courts for various sports, Swimming Pool, Multi Gym etc.
- V. As per the Scheme for Rohini Phase-IV and V, the area under reference has been re-designated as part of Sector-33, Rohini.

### 2. MPD-2021 PROVISIONS.

- i. The land use as per MPD 2021 and notified ZDP of Zone-M is 'Recreational' where only Sports Activity, Play Ground, Amenity Structures are permitted.
- ii. As per MPD-2021 the Sports facilities are categorized under Chapter-13, Social Infrastructure. As per MPD-2021, Sports Facilities/ Complex/Stadium / Sports Centre are categorized under land use "Public and Semi-public Facilities".
- iii. The proposed Sports facility will be covered under District Sports Centre catering for a population of 5 lakhs and above. Development Control Norms as per para 13.3.3 are reproduced below.

Maximum ground coverage	20% including amenity structures
Max. FAR	40
Height	NR (Subject to clearance from AAI, Fire Dept. and other statutory bodies).
Parking	2 ECS/ 100 sqm of floor area.

### 3. EXAMINATION

- I. Total Station survey has been provided by Engineering Wing for the area under reference, green belt etc. measuring about 21.62 ha. This has been forwarded by Dy. Dir. (Arch.)-II vide letter No. F1(01)09/SA(R&N)/HUPW/DDA/39 dated 24.02.2015.
- II. The site is parallel to 80 m wide Urban Extension Road-III. ZDP for Zone-M has proposed two roads (30 and 40 m wide) for connecting proposed development in sector-33. This has been demarcated in Total Station survey. The area available for development of proposed District Sports Complex is 8.90 ha. The layout plan is enclosed as Annexure-I.
- III. In view of above this will require processing of modification in the land use of MPD-2021 and ZDP for Zone-M under Section-11-A of DDA Act 1957.



Based on the consideration & recommendation of Technical Committee, the proposal will be placed before the Authority for processing under section-11-A of DD Act, 1957, for inviting objections/suggestion from the public.

#### 6. RECOMMENDATION

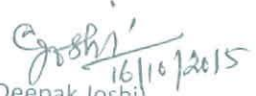
The proposal contain in para-5 is placed before the Technical Committee for consideration and approval please.

  
19/10/15

(Rajesh Kumar Jain)  
Director.(Plg.)Rohini  
Zone-'M'

  
16/10/15

(A.K. Malhotra)  
Dy.Dir.(Plg.)Rohini  
Zone-'M'

  
16/10/2015

(Deepak Joshi)  
Asstt.Dir(Plg.)Rohini  
Zone-'M'

- 27 -

After the detailed discussion, Technical Committee agreed to the proposal with the proviso that existing Ground Coverage(69%) as per drawings submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD

Action:Ex.Engg.(Bldg.)South Zone MCD)

Item No.21/11:

Sub:Continuance of Temporary Cinemas in Delhi.

F.11(6)/74/MP/Pt.I

The item was presented by Director (Plg.) MP & Zone 'D', it was informed that the temporary cinemas which were continuing on license basis, for a long time, at various locations in Delhi, were not conforming to the land use provisions. The MPD-2001 had stipulated the conditions for continuation of temporary cinemas, subject to maximum capacity of 300 seats; minimum front right of way 18 mtrs; One car space per 25 seats; conformity to the Cinematography Act and levying of conversion charges, to be worked out by the Authority. However, the issue of continuance of temporary cinemas is not addressed in the MPD-2021. Several representations were received from time to time in this regard and the issue of permissibility of temporary cinemas on permanent basis was also raised in one of the Authority meetings by the non official members which was also placed before the Technical Committee.

In view of the directions of the Hon'ble Lt.Governor for processing the cases of existing temporary cinemas for regularization, the matter was again placed before the Technical Committee. After detailed deliberations, it was observed that continuance of Temporary Cinemas and the possibility of effecting land use change to make them permanent in situ in Delhi should be dealt on case to case basis. Accordingly it was decided that the present status of the temporary cinemas in terms of area, ownership details and existing/functioning activities in these premises, supported by photographs/documents may be obtained to examine the matter further.

Action: Concerned Directors (Plg.)

Item No.22/11:

Sub:Revised layout plan for CRPF Campus at Mahavir Nagar, New Delhi.

F.1(25)07/MP/

Director (Plg.) C&G, DDA presented the case. It was decided that CRPF will submit the revised proposal, ensuring optimum use of land and accommodating future requirement of housing and office spaces as per MPD-2021 provisions.

Action:Dir.(Plg.)C&G Zone.

Sub: Proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing.

File No. F.3(19)/2014-MP

#### 1.0 Background

- 1.1 The matter is regarding the proposed modifications in MPD-2021 w.r.t. the relaxation of setbacks from preceding to preceding category in Residential Plot- Plotted Housing. As per MPD-2021, the provision for relaxation in setbacks for Residential Plotted Development and Other than Plotted Development are given in Para 4.4.3A point (x) and in the foot note under Table 17.1 respectively.
- 1.2 Earlier in the specific case of property No. M-17, Green Park the matter for relaxation of setbacks from preceding to preceding category was presented by MCD in the meeting of Technical Committee held on 11.8.2011 vide item No. 20/2011. After detailed deliberation the following decision was taken (Annexure-I): "The proposal for relaxation in setback from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the setback are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Category on the said plot is 75% as per MPD-2021. After the detailed discussion, Technical Committee agreed to the proposal with the provision that existing Ground Coverage (69%) as per drawing submitted by the MCD should be frozen. Further that all other development control norms with respect to FAR height, BBL etc. will be adhered to by the Local Body i.e. MCD".
- 1.3 Now, in the case of Rajesh Kumar Gupta vs SDMC for the property no. C-75, Shivaji Park under Appellate Tribunal of MCD, the appellant has claimed the similar benefit as mentioned in the point 2 above.
- 1.4 The above matter was deliberated before the ATMCD by MCD and DDA, wherein the following issues were highlighted in the order of ATMCD dt. 05.05.2014 (copy annexed as Annexure-II)
  - i. It appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or



21-  
Before Sh. A.K. Sarpal  
Appellate Tribunal M.C.D.  
Room No. 28, New Courts  
Tis Hazari, Delhi  
Appeal No. 491/2014 M.C.D. .... 12

Rajesh Kumar Gupta & Anr  
V/S  
DDA



A.No.491/12

05.05.2014

Present : Sh. K.N.Singh, counsel for appellant.  
Sh. Ajay Arora, Standing Counsel for MCD  
alongwith Sh. Mohit Sharma and Sh. Shashi  
Kant Sharma counsels for MCD and Sh.  
Sudhir Mehta, EE(BHQ) alongwith Sh.  
Joginder Singh, AE(BHQ) in person.  
Sh. P.K. Aggarwal and Sh. Sanjay Sharma  
counsels for DDA.

Vakalatnama on behalf of DDA filed.

There are two connected matters pertaining to the same property. On behalf of the respondent MCD it is stated that after considering the clarifications received from the DDA dated 15.01.2014 it has been decided that the MCD will take action in accordance with the said report for the time being and in case DDA in future wants to take a different stand then MCD will also act accordingly.

The DDA clarification dated 15.01.2014 leads to the inference that a relaxation in preceding to preceding category set backs was given in respect of property number M-17, Green Park, as a special case after freezing the ground coverage and that benefit is now not permissible in future similar matters. The decision of the DDA in respect of that property was a specific case and not a general instructions or decision. However, nothing is mentioned in the clarification or in the accompanying documents what was the specific circumstances that exceptional benefits were given to the owner of that property.

Appellant is claiming the similar benefit on the ground of parity but it appears also that the above benefit was given perhaps wrongly and in violation of the provisions of Master Plan to give some undue advantage to the owner of that property number M-17, Green Park, or due to some bonafide mistake. On behalf of the DDA it is stated that the wrong once done whether intentionally or by mistake can



B

1.8 Based on the recommendations of the Technical Committee draft agenda for Authority meeting was forwarded to the Hon'ble Lt. Governor, Delhi for its consideration in the Authority meeting vide this office note dated 17.10.2014. Hon'ble L.G., Delhi submitted the following observations on the draft agenda :*"I see that the proposed draft agenda has been put up on the basis of one individual case where DDA took a wrong decision/ gave undue favour in violation of MPD norms. Even the order of Appellate Tribunal mentions the same. The proposed agenda is also silent with regard to conformity with the provisions of National Building Code & Building Bye-Laws. Views of Fire Deptt have also to be sought before the matter is placed before the Authority."*

**2.0 Follow-up action:**

2.1 After discussion among the Sr. officers of Planning Wing, DDA, it is opined that at the first instance comments/ observations from the Legal Deptt., DDA may be obtained in this regard.

2.2 Accordingly the file was submitted to Legal Deptt., DDA and the following observations were received:

- i. The deptt. is under no legal obligation to process the matter further for modification in MPD-2021.
- ii. The earlier decision of Technical Committee if in contravention of the MPD norms then it is not legally tenable. Even the DDA counsel did not oppose observations of Hon'ble Court in the context.
- iii. The matter may be placed before the Technical Committee if deemed / appropriate for consideration of the matter in view of observation of the Hon'ble Court.

3.0 In view of the observation of the Legal Deptt. in para 2.0 above, the matter is placed before the Technical Committee for appropriate decision.

  
Asstt. Dir. (Plg.)/MP&DC

  
Dy. Dir. (Plg.)/MP

  
Director (Plg.)/MP

31-  
ANTI-DUMPING III

20/8  
30/7/14

384/SDMC  
31/7/14

SOUTH DELHI MUNICIPAL CORPORATION  
TOWN PLANNING DEPARTMENT

E-Block, 21<sup>ST</sup> Floor, Civic Centre, Minto Road, New Delhi-110002

No: TP/5/SDMC/2014/5061

Dated: 28/7/14

Sh.R.K.Jain,  
The Addl. Commissioner (Plg.)  
Delhi Development Authority,  
Vikas Minar, I.P. Estate,  
New Delhi.

Sub:- Discussion during the meetings chaired by Vice -Chairman/DDA on 21.07.2014

Sir,

In the above referred meeting the following issues were discussed:-

- A. Stilt parking in the Residential Plot - Plotted Housing as a follow up of the High Court Orders dated 29.05.2014 in the matter of P.K. Chatterjee v/s Union of India.
- B. Relaxation of the setbacks from preceding to the preceding category of the Residential plot to achieve the Master Plan FAR and the ground coverage w.r.t. MCD court case on the subject.
- C. Development of scheme by Standard plan or modification in scheme as per development control norms of Master Plan for Delhi-2021.

Vice-Chairman desired a written reply on behalf of SDMC on the above issues. On stilt parking a detail status report along with the affidavits as filed by SDMC and MOUD is enclosed.

Besides the Hon'ble Leader of House of SDMC Sh. Subhash Arya has also requested that stilt parking should not be insisted on narrow lanes/non-trafficable roads because on such roads the movement space for vehicles for parking under stilts is not available.

As regards relaxation of setbacks, it is opined that the Master Plan provisions be retained and going from preceding to the preceding category be addressed by the Technical Committee in isolated cases, where either the shape of the plot or some other reasons warrants such consideration.

As regards the development control norms for shop cum residential plots, the opinion on behalf of MCD is already before the Technical Committee and the same is reproduced below:-

*"It is suggested that on all shop-cum-Residential plots ( pre 1962 or after 1962) the Residential Development Control Norms shall be applicable whether such Shop-cum-Residential Complex are designated as LSC (under MPD-2001/2021) or not. The Residential Norms shall be applicable at the time of sanction of bldg. Plans on individual plots or addition/alteration on individual plots. The parking charges shall be charged as per Mixed Use policy for providing parking in the vicinity. The Standard Plans shall be revised as per the provisions of MPD-2021 with the Development Control Norms as applicable for Residential Plots. The Basement area may be used for Commercial purpose subject to payment of charges as per Mixed Use Regulations".*

Earlier necessary action on the issues are requested for.

Encl:- As above

Yours faithfully,

*Shamsher Singh*  
Chief Town Planner  
SHAMSHER SINGH  
Chief Town Planner  
25/7/14

Copy to :-

1. Leader of House/SDMC-for kind information.
  2. P.S. to Commissioner/SDMC for kind information..
  3. SE(B)/SDMC
  4. SE(B)/NDMC
- 31/7/14



DELHI DEVELOPMENT AUTHORITY  
(MASTER PLAN SECTION)  
6<sup>th</sup> FLOOR: VIKAS MINAR:  
NEW DELHI.

No: F.1(7)2011-MP | 247

Dt: 29/8/11

MINUTES OF 3<sup>rd</sup> TECHNICAL COMMITTEE MEETING HELD ON 11.8.2011 .  
LIST OF THE PARTICIPANTS IS ANNEXED.

Item No. 18/11:

Sub:Confirmation of minutes of 2<sup>nd</sup> Technical Committee Meeting held on 20.4.2011.

The minutes were forwarded to the members and no comments/observations has been received for any item. Therefore, the same were confirmed.

Item No.19/11:

Sub:Development of Knowledge Based Industrial Park (KBIP)at Baprola by DSIIDC in Zone K-I.

F.3(47)2011/MP

The proposal was explained by Director (Plg.) DWK and the presentation was given by the officers of DSIIDC. After detailed deliberations, it was decided that the modifications as proposed in the Agenda at Para 4.0 may be processed under Section 11(A) of DD Act '1957 for change of land use with the condition that DSIIDC will implement the project strictly as per the activities permitted in the 'Industrial' Use Zone under MPD-2021 and further actions as identified in para 4 of the Agenda. Accordingly the name of the project will also be changed from 'Knowledge Based Industrial Park' to 'Industrial Park'.

Action:Director(Plg.(Dwarka)

Item No.20/11:

Sub:Relaxation in permissible Setbacks for existing building at Plot No.M-17, Green Park, New Delhi.

F.3(36)/2010/MP/

//The proposal for relaxation in set backs from preceding to preceding category was explained by SE(HQ)Bldg., MCD wherein it was informed that if the set backs are relaxed for preceding category, 66% of the Ground Coverage is achievable, whereas the permissible Ground Coverage on the said plot is 75% as per MPD-2021.

-28-

Annexure - II

OFFICE OF THE REGISTRAR APPELLATE TRIBUNAL, MCD  
ROOM NO. 29, TIS HAZARI COURTS, DELHI.

Director (P.L.)  
Dr. No. 357  
25/7/14

388/pounce  
31/7/14

Please find enclosed herewith copy of the order dated 05/5/14 passed by the Hon'ble Tribunal in bearing appeal no. 491 /ATMCD/ 12 title as Rajesh Kumar Gupta & An vs S.D.M.C. in respect of property no. C-75, Shivaji Park, N-D-26

For compliance and necessary action. (N.D.O.H./D.O.D.- 29/8/14)

(G.R. Verma)  
Registrar  
Appellate Tribunal, MCD, Delhi.

1. The Monitoring Committee,  
India Habitat Centre,  
6A, Lodhi Road, Delhi
2. The Deputy Commissioner,  
Zone,  
Delhi Municipal Corporation,  
Delhi
3. The Executive Engineer (Bldg.),  
Zone,  
Delhi Municipal Corporation,  
Delhi

The Director  
(Planning)

D.P.A.  
MCD

9/9/14

DOT

① CHM Comptroller  
DDMP & DC I

Pl. bring the P/L  
As per proceedings  
i.e. meeting held

31/07/14

Director (P.L.) M.P.

By Director (P.L.) AP-1  
F-3 zone  
P.C. collected.

may pl. see the attached order of the Appellate Tribunal dated 5/5/14. Reference is made towards letter dated 15/01/2014 of DDA wherein relaxation in proceeding to proceeding category set back was given. As per 'X' of the order counsel for DDA, Com. n. a. SH R. BHARTI provided to be counsel. 11 - R