



DELHI GREENS

Honest Farmhouse Deals since 1998*
(Formerly Sagar Realtors)

Low Density Residential Policy

**LEGAL PERSPECTIVE
and real case studies.**

**Compiled by
DELHI Greens**

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www.delhigreenfarms.com
9811061134, 9582210226**

Low density Area in Delhi is one of the biggest opportunity in the history Delhi NCR's real residential real estate. In 1998 Govt of Delhi formed the Malhotra committee to survey the farmhouses in Delhi ; it was found that 75% of the farmhouses in Delhi are beyond the permissible FAR as per 1962 masterplan. In 2007 when the Delhi masterplan was formed it was decided to declare the farmhouses areas as Low density residential areas. Subsequent to the declaration – number of gazettes were issued by ministry of urban development and Delhi Development Authority. Low density areas are a big opportunity since they are located very close to prime areas of Delhi like vasant vihar , saket , SDA and are priced about 1/10 th of the prices of these prime areas. Each and every inch of the LDRA areas is legal and case studies attached on pages 67- 92 prove the same . It is just a matter of time when the building plans get sanctioned .

This compendium by Delhi Greens gives you all the notifications released till date.

- Definition of LDRA in DDA Masterplan Page 1
- Survey of farmhouses in 2008 Page 2
- DDA Notification 27.10.12 – Declaring FAR of 30 Page 3
- DDA Notification 30.10.12 – Regularization of existing farms Page 4,5,6
- DDA Notification 11.11.12 – List of 26 villages approved Page 7
- DDA Notification 3.01.13 – List of 32 villages approved Page 8
- DDA Notification 10.2.13 – Documents to be submitted for regularization Page 9
- MOUD Notification 10.5.13 – LDRA Notification Page 10,11,12
- MOUD Notification 18.6.13 – List of 23 villages approved Page 13-17
- DDA Notification 18.9.13 – Asking MCD to implement LDRA of 30 Page 18
- DDA Notification 20.9.13 – Charges for LDRA approvals Page 19,20,21
- DDA Notification 25.9.13 – 3 Units allowed per acre Page 22,23
- DDA Notification 1.1.14 – Declaration of regularization charges Page 24,25
- DDA Notification 11.2.14 – Declaration of regularization charges Page 26,27
- DDA Notification 12.2.14 – Declaring of deadline for regularization Page 28,29
- DDA Notification 26.2.14 – SDMC issues regularization guidelines Page 30-53
- DDA Notification 6.2.14 – Declaration of forest areas Page 54
- DDA Notification 28.2.14 – Reminder for regularization Page 55
- DDA Notification 4.3.14 – SDMC Building plan notification Page 56-61
- DDA Notification 12.12.14 – Reminder for regularization Page 62
- Case Study Rajokri Farm 15.12.14 – payment of regularization fee Page 63
- DDA Notification 22.2.16 – Final notification for LDRA Page 64,65
- Case Study Shivji Marg Farm 5 – 29.7.16 – Implementation of LDRA guidelines Page 67-80
- Case Study Shivji Marg Farm 47 – 15.12.16- Implementation of LDRA guidelines Page 81-92

Feel free to call Deepak Dagar at 9582210226 for any clarifications related to LDRA policy

Happy Reading !!

STATEMENT OF SURVEY REPORT ON FARMHOUSES

Zone	Number of farmhouses	Number of farmhouses found opened	Number of farmhouses found constructed after getting the building plan sanctioned	Number of farmhouses constructed without getting the building plan sanctioned	Number of farmhouses as per permissible norms of MPD-2001/2021 (100/150 Sqm.)	Number of farmhouses as per permissible norms of notification dated 23 July 1998 (Malhotra Committee Recommendation) (500 Sqm. irrespective of the size of the farm)	Number of farmhouses beyond the permissible norms of notification dated 23 July 1998 (Malhotra Committee)	Number of farmhouses either found locked or failed to show plan/vacant not traceable/acquired by D.D.A.
South	1436	1436	1018	418	164	807	465	Nil
Civil Lines	18	18	09	09	Nil	12	06	
Narela	361	231	361	Nil	38	165	28	130
Najafgarh	1046	1046	1046	Nil	194	316	36	
Total	2861	2731	2434	427	396 (14.5%)	1800 (65.90%)	535 (19.6%)	130

Total number of farmhouses sanctioned up to June 2008 - 3525

Total number of farmhouses could not be located during Survey (perhaps construction of such farmhouses have not come up at site so far) - 664

June 2008
HCD Survey
29/6/2008

Amey

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DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

The following modifications which the Delhi Development Authority, Central Government propose to make to the Master Plan for Delhi (MPD-2021) under section 11-A of DD Act, 1957 is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modifications may send the objections / suggestions in writing to the Commissioner-Cum-Secretary, Delhi Development Authority, B-Block Vikas Sadan, New Delhi 110002, within a period of ninety days from the date of issue of this notice. The person making the objections or suggestions should also give his/her name, address and telephone / contact number.

Modifications:

Para No.	Existing Provision	MPD-2021
1	2	3
Proposed Amendment / Modifications		
Para 3.2 (MPD-2021)	No Provision in MPD-2021	The following shall be added at the end of and in continuation of Para 3.2- "However, the land pockets of minimum 0.4 ha (4000 sqm) may be developed as a Notified Low Density Residential Area"
Para 4.2.2.1- Planned Areas (MPD-2021)	No Provision in MPD-2021	The following shall be added at Para 4.5 as a new Para LOW DENSITY RESIDENTIAL AREA The majority of Farm Houses in the urban extension areas are located on lands where ground water has already been severely depleted or close to such depletion. Further intensification of residential density and heavy additional load on civic infrastructure, e.g. water supply, Drainage, sewerage, parking, etc is highly undesirable in such areas from environment consideration. It would, therefore, be desirable to notify land areas containing existing farm Houses Clusters as "Low Density Residential Area"

Table 4.3- Uses/ Use	Use Premises	Definition	Use / Use Activities Permitted	Use Premises	Definition	Use/Use Activities Permitted
Activities Permitted in use premises - (MPD-2021)	Farm House	A dwelling house on farm	Farm House, watch and ward / EWS Residence (upto 30sqm)	Low Density Residential Plot	Existing Farm Houses regularized as per Policy and new Low Density Residential Plots to be permitted in the green belt	Low Density Residential / Housing Plots, service Personnel Residence, watch and Ward residences, subject to further uses as per Para 4.4.3.G.

Para No.	Existing Provision	MPD-2021
1	2	3
Proposed Amendment / Modifications		
	Farm House	Low Density Residential Area
		Plot Area
		(i) Minimum Plot Area
		0.4 hectare
		(ii) Max. FAR
		15
		(iii) Max height
		12m
		(iv) Min width of continuous road in front
		7.5m
		(v) Min green area, Maximum soft Parking and Roads
		50%
		(vi) No. of main dwelling units permitted
		-1 per acre (with EWS units of 30 sqm each per main dwelling unit in addition to permitted FAR. -0.5 acre and above to be rounded off to the next additional unit.

Other Controls:	Other Controls:
(i) Setback in dwelling house should be 15 m away from any boundary line of the property.	(i) Where the property abuts urban road, the dwelling house building should be setback from the centre line of that road by 30m. Where the property abuts village road, the building setback from the centre line of that road should be 15m in the front side and 5meters on three sides.
(ii) Where the property abuts to urban road, the dwelling house building setback from the centre line of that road should be 30m.	(ii) For dwelling unit on National Highway, the prescribed norms of NHAI will be applicable.
(iii) No dwelling unit should be built within 400m of the right of way of any National Highway.	(iii) For infrastructure roads etc. land holders will be required to cede land to enable the building up of infrastructure after Public Notice and hearing by the Authority.
	(iv) Every Part of the building including the basement used for normal habitation except storage, parking, services and utilities installation will be counted in FAR.
	(v) For Plots 0.4 to 2 hectare the use activities such as Fitness / Wellness Centers, Naturopathy Clinics, Healthcare Centers may be allowed subject to the condition that minimum 50% of Plot area be left for soft parking and landscaping.
	(vi) Apart from use / activities permitted in (v) above, for plots more than 2.0 to 5 acres located on roads of minimum width of 18 m, use / activities such as recreational / club may be allowed subject to the conditions that minimum 50% of plot area be left for soft parking, maximum 25% of plot area for landscaping and maximum 25% of the plot area for functions / building purposes.
	(vii) No Low Density Residential Premises would be built on lands notified for acquisition, the legality of which has been up held by the Hon'ble Supreme Court, except if it falls within the boundary of an unauthorized colony listed for regularization as per Union Government's decision of 8th February 2007 in accordance with the regulations No. S.O. 83(E) dated 24.03.2008 pertaining to regulation of Unauthorized Colonies.

Table 9.4- Permission of use premises in sub use zones, Row, S.No. 1, Column No. 2- (MPD-2021)	"Farm House"	"Low Density Residential Plots"
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The text of MPD-2021 indicating the proposed modification shall be available for inspection at the office of the Dy. Director, Master Plan Section, 6th Floor, Vikas Sadan, IP Estate, New Delhi-110002, on all working days within the period referred above.

File No. F.3(103)/MSMP
Dated: 27/10/2012
Place: New Delhi

Sd/-
Commissioner-Cum-Secretary
Delhi Development Authority

MINING (2)

27/10/12

(2)



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 2175]

नई दिल्ली, मंगलवार, अक्टूबर 30, 2012/कार्तिक 8, 1934

No. 2175]

NEW DELHI, TUESDAY, OCTOBER 30, 2012/KARTIKA 8, 1934

दिल्ली विकास प्राधिकरण

अधिसूचना

नई दिल्ली, 30 अक्टूबर, 2012

दिल्ली में फार्म हाउसों के नियमितीकरण हेतु विनियम
(दिल्ली विकास अधिनियम, 1957 की धारा 57 के अंतर्गत)

का.आ. 2622(अ).—दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 57 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिल्ली विकास प्राधिकरण केन्द्र सरकार के पूर्व अनुमोदन से एतद्वारा निम्नलिखित विनियम बनाता है :—

विद्यमान फार्म हाउसों का नियमितीकरण

एन.सी.टी.डी लॉज (स्पेशल प्रोविजन्स) सैकिन्ड एक्ट 2011 के प्रावधानों के अनुसार अनुमेय भवन सीमाओं से परे निर्माण करने वाले विद्यमान फार्म हाउसों को अनधिकृत विकास की श्रेणियों में शामिल किया गया है, जिनके विरुद्ध स्थानीय निकाय द्वारा दिनांक 31.12.2014 तक कोई दण्डात्मक कार्यवाही नहीं की जानी है। विधि के अंतर्गत यह संरक्षण उक्त अधिनियम के समाप्त होने से पहले सरकार द्वारा गिमेन्स स्टैंक होल्डर्स के साथ परामर्श द्वारा विद्यमान फार्म हाउसों के संबंध में नीति को अंतिम रूप देने के अंतर्गत प्रदान किया गया है। तदनुसार, अनुमेय निर्माण सीमाओं से परे निर्माण करने वाले फार्म हाउसों का नियमन करने वाली अंतिम नीति निम्नानुसार है :—

**DELHI DEVELOPMENT AUTHORITY
NOTIFICATION**

New Delhi, the 30th October, 2012

**Regulations for Regularisation of Farm Houses in Delhi
(Under Section 57 of DD Act, 1957)**

S.O. 2622(E).—In exercise of powers conferred by Section 57 of Delhi Development Act, 1957 (61 of 1957) the Delhi Development Authority, with the previous approval of the Central Government, hereby makes the following regulations :—

Regularisation of Existing Farm Houses

As per the provisions of the NCTD Laws (Special Provisions) Second Act 2011, existing farm houses having construction beyond the permissible building limits have been included in the categories of unauthorized development against which no punitive action is to be taken by the local bodies up to 31.12.2014. This protection has been provided under the law to enable the government to finalize the policy to deal with the existing farm houses in consultation with various stakeholders before expiry of the said Act. Accordingly, the finalized policy to regulate the existing farm houses having construction beyond permissible building limits is laid down as under:—

1.1 Permissibility

All farm houses in green/agricultural areas in the Master Plan previous to the MPD-2021, that had come up prior to 07.02.2007, except those falling in the following categories, shall be regularized under these regulations –

- (i) Farm houses falling in the notified forest or in the Regional Park area other than farm houses built on privately owned land in regional park sanctioned up to 7.2.2007 subject to orders of the Supreme Court of India in this regard.
- (ii) In area of right of way of infrastructure approved and notified in the Zonal Development Plans such as existing/proposed railway line/Master Plan Roads, major trunk water supply and sewage lines, HT lines, transport and freight corridor and other essential infrastructure.
- (iii) If it falls within the site/area declared protected monument/area under the provisions of the Ancient Monuments and Archaeological Remains Act, 1958 as amended from time to time.
- (iv) In cases where there a court order for eviction/vacation of premises in favour of Government or DDA or MCD;
- (v) Those built on lands notified for acquisition, the legality of which has been upheld by Hon'ble Supreme Court, subject to the provision that farm houses existing on 07.02.2007 within the boundary of an unauthorized colony listed for regularisation as per regulations no. S.O. 683(E) dated 24.3.2008 pertaining to regularisation of unauthorised colonies.

(5)

Page 28

1.2 Other Conditions

Existing farm houses shall be allowed to be regularised with following development control norms -

(a) Size of the plot	As per the applicable Master Plan ; Min. 1 acre - MPD- 52 Min. 1 Hectare - MPD - 2001
(b) Max. FAR on total plot	30
(c) Minimum Green Area	50 %
Maximum Soft parking and roads	20 %
(d) Max. height	12 metres
(e) Number of main dwelling units permitted	1 per acre. (with EWS units of 30 sq. m. each per main dwelling unit) - 0.5 acre and above to be rounded off. to the next additional unit.

(ii) Every part of the building, including the basement, where used for normal habitation other than for storage, parking, services and utilities will be counted in FAR.

(iii) Existing farm houses applying for regularisation of area up to 30 FAR will be compounded on payment of penalty as may be notified.

(iv) In addition to (When implemented, along with) the above penalty, External Development Charges (EDC)/Betterment levy as applicable shall be payable.

(v) Upon such regularization, the Local Body while preparing Local Area Plans/Layout Plans should make provisions for essential utilities in these clusters with requisite charges after giving public notice and hearing.

(vi) For infrastructure roads etc. land holders will be required to cede land to enable the building up of infrastructure after public notice and hearing by the Regulatory Authority.

(vii) It is intended that the amounts received by way of items (iii) and (iv) above will principally be used towards developing civic amenities in the areas where farm houses are being regularized and will be maintained by the Regulatory Authorities in a separate account.

(viii) This one time amnesty can be availed by the owner by applying within 180 days of the notification of rates and payment of the prescribed charges for such regularisation.

(ix) Government may issue further clarifications /amendments with regard to the regularisation of farm houses.

[F. No. F. 3(103)96/MP]

ASMA MANJAR Commissioner-cum-Secy.

4/12/2012-2

Page 29

Annex 3



DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

ADDENDUM

In continuation to the Public Notice issued on 27.10.2012, regarding Farm Houses, further modifications which the Delhi Development Authority / Central Government proposes to make to the Master Plan for Delhi (MPD-2021) under section 11-A of DD Act, 1957 is hereby published for public information. Any person having objection or suggestion with respect to the proposed modifications may send the objections/ suggestions in writing to the Commissioner-Cum-Secretary, Delhi Development Authority, B-Block Vikas Sadan, New Delhi-110023, within a period of Ninety days from the date of issue of this notice. The person making the objections or suggestions should also give his/her name, address and telephone / contact numbers:

Modifications:

The following is added in the first row, column 3 of the table of Public Notice at proposed para 4.5 after the paragraph. The majority of Farm Houses "Low Density Residential Area" as under

List of villages to be declared as Low Density Residential Area:

- | | |
|-------------------|--------------------|
| 1. Sayurpur* | 14. Ghitorni** |
| 2. Satbari* | 15. Rangpur* |
| 3. Chattarpur | 16. Chhawla |
| 4. Khanpur | 17. Pindwala Khurd |
| 5. Devli* | 18. Rewla Khanpur |
| 6. Bhatti* | 19. Paprawat |
| 7. Fatehpur Bari* | 20. Ghuman Hera |
| 8. Asola* | 21. Jhatikara |
| 9. Jounapur | 22. Kanganheri |
| 10. Chandan Hula | 23. Holambi Khurd |
| 11. Gadalpur* | 24. Bakoli |
| 12. Sultanpur* | 25. Bakhtawar Pur |
| 13. Mehrauli** | 26. Hiranki |

Note:

- I. Part area of villages Mehrauli, Sultanpur, Ghitorni & Gadalpur along the Mehrauli Gurgaon Road will be allowed High density development as per the policy for Transit Oriented Development (TOD) when such policy is notified.
- II. Low Density residential area in 5 villages mentioned at Sr. No. 1 to 5 shall be subject to relevant stipulations imposed by the Authority arising from Supreme Court orders.
- III. * Villages where low density residential development may be allowed in the area other than those falling under Regional Park.
- IV. * Villages which are falling within the influence zone of proposed T.O.D.

2. The text of MPD-2021 indicating the proposed modification shall be available for inspection at the Office of the Dy. Director, Master Plan Section, 6th Floor, Vikas Minar, IP Estate, New Delhi-110002 on all working days within the period referred above.

File No.: F3(103)96/MP

Commissioner-Cum-Secretary

Dated: 11.12.2012

Sd/-

Place: New Delhi

Delhi Development Authority

Please visit DDA's website at dda.org.in or dial-39699911

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Page 14



DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

ADDENDUM

In supersession of Addendum issued vide Public Notice on 11.12.2012 and in continuation to the Public Notice issued on 28.10.2012, regarding Farm Houses, further modifications which the Delhi Development Authority / Central Government proposes to make to the Master Plan for Delhi (MPD-2021) under section 11-A of DD Act, 1957 is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modifications may send the objections / suggestions in writing to the Commissioner-Cum-Secretary, Delhi Development Authority, B-Block Vikas Sadan, New Delhi 110023, within a period of Ninety days from the date of issue of this notice. The person making the objections or suggestions should also give his / her name, address and telephone / contact numbers.

Modifications:

The following is added in the first row, column 3 of the table of Public Notice at proposed para 4.5 after the paragraph.

"The majority of Farm Houses....."Low Density Residential Area" as under

List of villages to be declared as Low Density Residential Area:

- | | |
|--------------------|---------------------|
| 1) Sayurpur * | 17) Ghitorni * |
| 2) Satbari * | 18) Rangpur * |
| 3) Chaffarpur | 19) Chhawla |
| 4) Khanpur | 20) Pindwelan Khurd |
| 5) Devli * | 21) Revla Khanpur |
| 6) Bhatti * | 22) Paprawat |
| 7) Fatehpur Bari * | 23) Ghuman Hero |
| 8) Asola * | 24) Jhalikara |
| 9) Jounapur | 25) Kanganheri |
| 10) Chandan Mula | 26) Holambi Khurd |
| 11) Gadaipur | 27) Bakoli |
| 12) Sultanpur | 28) Bakhtawar Pur |
| 13) Mehrauli * | 29) Hiranki |
| 14) Rajokeri** | 30) Bijwasan** |
| 15) Samalkha** | 31) Salehpur** |
| 16) Kapashera** | 32) Baneroli** |

Note:

- Part area of villages Mehrauli, Sultanpur, Ghitorni & Gadaipur falling within the influence zone of proposed T.O.D. will be allowed for High density development as per the policy for Transit Oriented Development (TOD) when such policy is notified.
 - Low Density residential area in 5 villages mentioned at Sr. No. 1. to 5. shall be subject to relevant stipulations imposed by the Authority arising from Supreme Court orders.
 - * Villages where low density residential development may be allowed in the areas other than those falling under Regional Park.
 - In villages located in Regional Park, approved Farm Houses sanctioned prior to 01.08.1990 (i.e. date of enforcement of Master Plan for Delhi 2001 and delineating the boundary of Regional Park) may continue.
 - ** Low Density residential shall be permitted in the part of the area falling outside the Green Belt.
 - Any approved Layout / scheme falling in the above Villages shall be deemed to have been approved under Clause 3(4) of Development Code of MPD-2021.
 - The term "Village" refers to "Revenue Village Boundary".
2. The text of MPD-2021 indicating the proposed modification shall be available for inspection at the Office of the Dy. Director, Master Plan Section, 6th Floor, Vikas Minar, IP Estate, New Delhi-110002 on all working days within the period referred above.

File No: F2(103)96/MP

Dated: 03.01.2013

Place: New Delhi

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(D.SARKAR)

Commissioner-cum-Secretary

Annex ⑤

④

where

Page 13-8

DELHI DEVELOPMENT AUTHORITY
(MASTER PLAN SECTION)
PUBLIC NOTICE

Sub: Policy of Development of Low Density Residential Area (LDRA) / Regularisation of Farm Houses as per the Notified Regulations to be implemented by the concerned Municipal Corporation of Delhi.

In pursuance to Ministry of Urban Development letter No. K-12016/3/2008-DD-I dated 18.09.2013, general public is informed as under:

- I. Any person intending to avail of the policy regarding Farm Houses in Green Belt and Low Density Residential Area notified vide S.O. 1199 (E) dated 10.05.2013 policy must comply with the requirements of the policy regarding regularization of existing Farm Houses notified by DDA vide S.O. No. 2622(E) dated 30.10.2012, if required. Any person not covered under the policy of 30.10.2012 shall directly avail of the provisions contained in the 10th May, 2013 policy as mentioned above.
- II. The Local authority shall ensure to observe the modalities to operationalise the regularization of Farm House policy as approved by Hon'ble LG, Delhi as under:
 1. Application for regularization of the Farm Houses must be accompanied by four sets of the following documents:
 - (i) Any two of the following in the name of the former / current plot owner should be sufficient to establish criteria for the date of construction prior to 07.02.2007.
 - Receipt of MCD tax payment.
 - Receipt of Electricity Bill payment.
 - Certificate of a certified Architect registered with Council of Architecture (COA).
 - Completion certificate.
 - (ii) The building plans of the existing building as approved by MCD, if any along with the letter of approval.
 - (iii) In any case of un-sanctioned Farm Houses land ownership documents duly authenticated by the Revenue Department / Land Department of GNCTD.
 - (iv) Affidavit from the owner agreeing to surrender of land to ensure that minimum 6mtr. ROW is available in front of the Farm Houses to Local Body.
 - (v) Details of property tax paid by the owner of the Farm Houses to Local Body.
 - (vi) Affidavit from the applicant(s) confirming that their existing Farm House do not fall under the categories mentioned at Clause 1.1 (i), (ii) and (iv) of the Notification No. S.O. 2622 (E) dated 30.10.2012. In case the existing Farm House falls under any of the categories above, the applicant should apply to DDA for clarification.
 - (vii) An undertaking by the Farm Houses owner for payment of betterment charges.
 - (viii) Proof of deposit of compounding / regularization charges as per the charges notified for levy of conversion charges, external development charges and any other charges.
 - (ix) An undertaking from the owner of the Farm House that the land required for developing area infrastructure services / public utility projects shall be surrendered by the owner in the interest of the overall development of the area.
 - (x) In case of (iv) and (ix) above, owner of the Farm House will be entitled to avail FAR on land size as was before surrender/acquisition.
 - (xi) In the regularization process, the owners will ensure adequate parking provisions within the premise itself if the Farm House is used for any permissible activity under the policy.
 - (xii) (a) The building plans for regularization to be accompanied with all the forms and Annexures (b) structural safety certificate from a certified civil engineer.
 - (xiii) All documents shall be authenticated by the Architects registered with COA and owners of the property jointly.
- III. The modalities for operationalization of the LDRA policy are as under.
 1. Application for approval of plans for Low Density Residential Plots (LDRA) may be submitted to the local authority along with four sets of the following:-
 - i) Land ownership documents duly signed by the owner and verified by the Revenue Department / Land Department of Government of NCT of Delhi by an officer not below the rank of Sub Divisional Magistrate (SDM);
 - ii) Location plan of the area;
 - iii) Layout Plan of proposed sub division if applicable, for approval of Low Density Residential Plots (LDRA).
 - iv) Location plan on Google map;
 - v) Undertaking/Affidavit from the applicant agreeing to

Annex 6

9

DO Documents

10/2/2013

9

MINISTRY OF URBAN DEVELOPMENT

(Delhi Division)

NOTIFICATION

New Delhi, 10th May, 2013

S.O. 1199(E).— Whereas certain modifications which the Central Government proposed to make in the Master Plan for Delhi-2021 as mentioned hereunder were published in the Gazette of India, Extraordinary, as Public Notice vide No. S.O. 1334 (E), dated 26-10-2012 by the Delhi Development Authority in accordance with the provisions of Section 44 of the Delhi Development Act, 1957 (6 of 1957) inviting objections/suggestions as required by sub-section (3) of section 11A of the said Act, within ninety days from the date of the said notice.

2. Whereas, objections/suggestions received with regard to the proposed modifications have been considered by a Board of Enquiry and Hearing, setup by the Delhi Development Authority and also approved at the meeting of the Delhi Development Authority.

3. Whereas, the Central Government has, after carefully considering all aspects of the matter, decided to modify the Master Plan for Delhi-2021.

4. Now, therefore, in exercise of the powers conferred by sub-section (2) of section 11A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi-2021 with effect from the date of publication of the Notification in the Gazette of India:

Modifications:

S. No	Para/Cause No. of MPD-2021	Modifications												
1	Para 3.2 (MPD-2021)	The following shall be added at the end of and in continuation of Para 3.2— "However, the land pockets of minimum 0.4 ha (4000 sq m) may be developed in areas separately Notified as Low Density Residential Area". Relaxation in the minimum size of plot shall be allowed to the extent of land which Farm owners have surrendered for road widening/public facility to MCD/Local authority causing land holding less than 1 acre."												
2	Table 4.3-Uses / Use Activities Permitted in use premises													
	<table> <tr> <th>Use Premises</th><th>Definition</th><th>Use / Use Activities Permitted</th></tr> <tr> <td>Farm House</td><td>A dwelling house on farm</td><td>Farm House, watch and ward/ Servant quarter (upto 60 sq m)</td></tr> </table>	Use Premises	Definition	Use / Use Activities Permitted	Farm House	A dwelling house on farm	Farm House, watch and ward/ Servant quarter (upto 60 sq m)	<table> <tr> <th>Use Premises</th><th>Definition</th><th>Use / Use Activities Permitted</th></tr> <tr> <td>Low Density Residential Plot</td><td>Existing Farm Houses in urban extension regularized as per Policy and new Low Density Residential Plots to be permitted in the green belt and in Low Density Residential Area in the Urban Extension</td><td>Low Density Residential/ Housing Plots, service Personnel Residence, watch and Ward residence, subject to further use as per Para 4.4.3.G.</td></tr> </table>	Use Premises	Definition	Use / Use Activities Permitted	Low Density Residential Plot	Existing Farm Houses in urban extension regularized as per Policy and new Low Density Residential Plots to be permitted in the green belt and in Low Density Residential Area in the Urban Extension	Low Density Residential/ Housing Plots, service Personnel Residence, watch and Ward residence, subject to further use as per Para 4.4.3.G.
Use Premises	Definition	Use / Use Activities Permitted												
Farm House	A dwelling house on farm	Farm House, watch and ward/ Servant quarter (upto 60 sq m)												
Use Premises	Definition	Use / Use Activities Permitted												
Low Density Residential Plot	Existing Farm Houses in urban extension regularized as per Policy and new Low Density Residential Plots to be permitted in the green belt and in Low Density Residential Area in the Urban Extension	Low Density Residential/ Housing Plots, service Personnel Residence, watch and Ward residence, subject to further use as per Para 4.4.3.G.												

Page 10

10

1	Part 4.3.1 (a) Floor Plans	Low Density Residential Area
	Plot Area 1.4 ha and above 2.2 ha 150 sq m 6 m (Single story) Minimum Floor area Minimum Height	(b) Minimum Plot Area (c) Max. FAR 1.5 (without any change) above 2.2 up to 2.5 with additional charges to be decided by the concerned authority) For FAR more than 1 acre, the portions remaining (if any) after the additional FAR shall be on ground only. (d) Min. height 17 meter (e) Min. width of colonnade road in front 6 meter (f) Min. ground area 50% (g) Dwelling unit permitted Number of units shall be restricted by the FAR permitted. - FAR up to 1.5 sq m per unit in addition to permitted FAR.
	Other Conditions (i) Setback in dwelling house should be 15 m away from any boundary line of the property. (ii) 15 m: the property shall be within road, the dwelling house building setback from the road line of that road should be 15 m. (iii) The dwelling unit should be built within 400 m of the right of way of any National Highway.	Other Conditions (i) When the property abuts upon road, the dwelling house building should be within from the centre line of that road by 15 m. When the property abuts village road, the building setback from the centre line of that road should be 15 m on the front side and 4 meters on other sides. (ii) For dwelling unit on National Highway, the provision of FAR will be applicable. (iii) For infrastructure roads etc. and building will be required to code and to enable the building up of infrastructure other Public Works and housing by the Authority. (iv) Every part of the building including the basement used for normal habitation will be covered in FAR. Basement used for parking, garages, horse office, storage, parking, services and other installation will not be counted in FAR. (v) Any pond/water bodies are provided and excluded from FAR and setback norms. (vi) The waste at waste ground will be permitted adjacent to boundary or wherever give a provision for Building Systems and it is to be excluded from the FAR and setback norms. (vii) For Plot less than 1 hectare the use activities such as: Flower and Plant Nursery, Veterinary Clinics may be allowed subject to the condition that minimum 50% of Plot area be left for soil parking and landscaping. For activities permitted, provision for parking must be provided within the plot.

		(vi) Areas from reservations permitted in (iii) above, for plots more than 2.0 ha (5 acres) located on roads of minimum width of 18 m, activities such as recreational/leisure may be allowed subject to the condition that minimum 50% of plot area be left for soft parking, minimum 25% plot area for landscaping and maximum 25% of the plot area for structural building purposes. (vii) The Low Density residential schemes would be built on lands notified for acquisition, the legality of which has been upheld by the Hon'ble Supreme Court, except if it falls within the boundary of an gazetted colony listed for regularization as per Union Government's decision of 8th February, 2007 in accordance with the regulations No. S.O. 48163 dated 24-03-2006 pertaining to regulation of Unauthorised Colonies or unless the acquisition is de-notified. (viii) Rain water harvesting and waste water recharging shall be mandatory with provision for storage for surface run-off water to improve the depleting ground water levels.
4	Table 9.4-Permission of use premises in sub use Zone Row, S. No. 1, Column No. 3- (MCD-2/2014) "Farm House"	"Low Density Residential Plot"
5	Table 9.4-Permission of use premises in sub use Zone Row, S. No. 2, Column No. 3- Approved Farm houses sanctioned prior to 1-8-90 may continue	Approved Farm houses sanctioned prior to 1.8.90 or subsequently if approved by MCD, as per the policy applicable for regularization of the existing farm houses, subject to necessary clearance from the Central Empowered Committee of Supreme Court and the Ridge Management Board of DMCTD are allowed.

* In certain cases where access to Farm Houses/Country Houses is only by private road or exceptionally constructed by the Deed and Road, the Road width will be governed as per the sanctioned layout plan. For the purpose of subdivision of land which is minimum 2 acres and above, a private road of minimum width 6 m may be planned as a feeder to the subdivided plots (of minimum 1 acre each). Such plots will get benefit of Full and Ground Coverage as proportionate land surrendered for planning of such roads. Necessary provision shall be made by the plot owner for parking of emergency vehicles like Police, Ambulance, Fire tender etc.

Owner is required to submit an undertaking along with proposal and plans for sanction of Country House to Local Authority about his willingness to surrender land for road widening. Reference of this undertaking shall be recorded on plan by Local Authority while releasing the plan.

(No. K-1201-6072008-03-11)

SENIL KUMAR, Under Secy



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 1405] :

नई दिल्ली, मंगलवार, जून 18, 2013/व्येष्ठ 28, 1935

No. 1405]

NEW DELHI, TUESDAY, JUNE 18, 2013/VYAISTHA 28, 1935

शहरी विकास मंत्रालय

(दिल्ली डिवीजन)

अधिसूचना

नई दिल्ली, 18 जून, 2013

का.आ.1744(अ).—जबकि केन्द्र सरकार ने दिल्ली मुख्य योजना-2021 में कुछ संशोधन करने का प्रस्ताव किया है, जिन्हें दिल्ली विकास प्राधिकरण द्वारा दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 44 के प्रावधानों के अनुसार उक्त अधिनियम की धारा 11-क की उप-धारा (3) द्वारा यथा अपेक्षित उक्त सूचना की तिथि से तीस दिनों के अंदर आपत्तियाँ/सुझाव आमंत्रित करने के लिए सार्वजनिक सूचना के रूप में का.आ.सं. 2871 (ई) दिनांक 11.12.2012 द्वारा भारत के असाधारण राजपत्र में प्रकाशित किया गया था।

2. जबकि, प्रस्तावित संशोधनों के संबंध में प्राप्त की गयी आपत्तियाँ/सुझावों पर दिल्ली विकास प्राधिकरण द्वारा गठित किए गए "जांच एवं सुनवाई बोर्ड" द्वारा विचार किया गया था और दिल्ली विकास प्राधिकरण की बैठक में उन्हें अनुमोदित भी किया गया था।

3. जबकि, केन्द्र सरकार ने मामले के सभी पहलुओं पर सावधानी पूर्वक विचार करने के बाद दिल्ली मुख्य योजना-2021 को संशोधित करने का निर्णय किया है।

4. अतः अब, उक्त अधिनियम की धारा 11-क की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तिथि से उक्त दिल्ली मुख्य योजना-2021 में निम्नलिखित संशोधन करती है :

2696 GI/2013

(1)

संशोधन

पैरा 4.2.2.1 (ग) के बाद एक नया पैरा 4.2.2.1 (घ) निम्नानुसार जोड़ा जाता है :—

4.2.2.1 (घ) कम घनत्व वाले आवासीय क्षेत्र

शहरी विस्तार क्षेत्रों में अधिकतर फार्म हाउस उन जगहों पर स्थित हैं, जहां पर भू-जल या तो समाप्त हो चुका है या फिर समाप्त होने की स्थिति में है। इसके अतिरिक्त, आवासीय सघनता की बहुलता और जलापूर्ति, जल निकासी, सीवरज, पार्किंग आदि जैसी नागरिक आधारभूत संरचना पर ऐसे क्षेत्रों में पर्यावरणीय दृष्टि से अतिरिक्त भार भी अवांछनीय हैं। अतः विद्यमान फार्म हाउस समूहों और गांवों को "कम घनत्व वाले आवासीय क्षेत्रों" के रूप में अधिसूचित किया गया है (गांवों की सूची अनुलग्नक-I में संलग्न है)। हरित क्षेत्रों में आने वाले गांवों में कम घनत्व वाले आवासीय प्लॉटों को भी अनुमति दी गयी है (हरित क्षेत्रों में गांवों की सूची अनुलग्नक -II में संलग्न है)।

[फा.सं. के-2008/3/12016-डीडी-1]

सुनील कुमार, अवर सचिव

अनुलग्नक-I

शहरी विस्तार में कम घनत्व वाले रिहायशी क्षेत्र (एल डी आर ए) के रूप में घोषित गांवों की सूची :

- | | |
|-----------------|------------------|
| 1. सयूरपुर* | 16. घिटोरनी* |
| 2. सतयड़ी* | 17. रंगपुरी* |
| 3. छतरपुर | 18. होलम्बीखुर्द |
| 4. खांनपुर | 19. बाकोली |
| 5. देवली* | 20. वक्तावरपुर |
| 6. भाटी* | 21. हिरनकी |
| 7. फतेहपुरबेरी* | 22. बिजवासन |
| 8. असोला* | 23. बामनोली |
| 9. जौनापुर | |
| 10. चन्दलहोला | |
| 11. गदईपुर | |
| 12. सुल्तानपुर | |
| 13. महरौली* | |
| 14. रजोकनी | |
| 15. समालखा | |

टिप्पणी

- i. यदि मेट्रो कोरिडोर एल डी आर ए गांवों में से होकर निकलता है तो टी ओ डी नीति के अनुसार एल डी आर ए गांवों में मेट्रो कोरिडोर और मेट्रो प्रभाव जोन के साथ विकास की अनुमति होगी।
- ii. क्रम सं. 1 से 5 तक उल्लिखित 5 गांवों के कम सघनता वाले आवासीय क्षेत्र उच्चतम न्यायालय के आदेशों के परिणामस्वरूप प्राधिकरण द्वारा लागू की गई संबंधित शर्तों के अधीन होंगे।
- iii. *वे गांव, जिनमें कम सघनता वाले आवासीय विकास को, क्षेत्रीय पार्क के अंतर्गत आने वाले क्षेत्रों को छोड़कर, अन्य क्षेत्रों में अनुमति दी जा सकती है।

Page 14

- iv. उपर्युक्त गाँवों में आने वाले किसी भी अनुमोदित लेआउट/स्कीम को दिल्ली मुख्य योजना-2021 के विकास कोड के खण्ड 3(4) के अंतर्गत अनुमोदित समझा जाएगा।
- v. "गाँव" शब्द का अभिप्राय "राजस्व गाँव सीमा" से है।

अनुलग्नक - II

हरित पट्टी में आने वाले गाँवों की सूची, जिनमें कम धनत्व वाले रिहायशी प्लॉटों की अनुमति है :

क्र.सं.	योजना जोन	गाँव का नाम
(1)	जोन जी	1. बिजयासन (भाग) 2. कापसहेड़ा 3. सलाहपुर
(2)	जोन जे	4. रजोकरी (भाग)
(3)	जोन के-II	5. बामनोली (भाग) 6. बिजयासन (भाग)
(4)	जोन एल	7. चडुसराय 8. बक्करगढ़ 9. देवराहा 10. ढाँसा 11. गालिबपुर 12. घुम्ननहेड़ा 13. ईसापुर 14. जैनपुर 15. झडोदाकलां (भाग) 16. झटीकरा 17. कैर 18. कंगनहेड़ी 19. मित्रऊ 20. मुंघेलाकलां 21. मुंघेलाखुर्द 22. नानखेड़ी 23. राधोपुर 24. राउता 25. शिकारपुर 26. सुरेखपुर (भाग) 27. टिकरीकलां (भाग)
(5)	जोन पी-I	28. बाकनेर 29. घोघा 30. लामपुर 31. ममुरपुर
(6)	जोन पी-II	32. हमीदपुर 33. झंगोला 34. पल्ला 35. सिंधु 36. ताजपुरकलां
(7)	जोन एन	37. औचंदी 38. मुंगेशपुर 39. कुतुबगढ़ 40. खोड पंजाब 41. चतेसर 42. जौंटी 43. गढ़ी रिंघाला 44. निजामपुर-रशीदपुर 45. टिकरी कलां (भाग) 46. हरोली
(8)	जोन ई	47. मंडोली

स्रोत: क्षेत्रीय विकास योजना-2021 के अनुसार।

MINISTRY OF URBAN DEVELOPMENT

(DELHI DIVISION)

NOTIFICATION

New Delhi, the 18th June, 2013

S.O.1744(E).—Whereas certain modifications which the Central Government proposed to make in the Master Plan for Delhi-2021 as mentioned here under were published in the Gazette of India, Extraordinary, as Public Notice (addendum) vide S.O. No. 34 (E) dated 3.1.13 (in supersession of Addendum issued vide Public Notice S.O. No. 2871 (E) dated 11.12.12) by the Delhi Development Authority in accordance with the provisions of Section 44 of the Delhi Development Act, 1957 (61 of 1957) inviting objections/suggestions as required by sub-section (3) of Section 11-A of the said Act, within ninety days from the date of the said notice.

2. Whereas, objections/suggestions received with regard to the proposed modifications have been considered by a Board of Enquiry and Hearing, set up by Delhi Development Authority and also approved at the meeting of the Delhi Development Authority.

3. Whereas, the Central Government has, after carefully considering all aspects of the matter, decided to modify the Master Plan of Delhi-2021.

4. Now, therefore, in exercise of the powers conferred by sub-section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modifications in the said Master Plan for Delhi-2021 with effect from the date of publication of this Notification in the Gazette of India.

Modification:

Page 10

A new para at 4.2.2.1 (D) is inserted after para 4.2.2.1 (C) as under:

4.2.2.1 (D) LOW DENSITY RESIDENTIAL AREA

The majority of Farm Houses in the urban extension areas are located on lands where ground water has already been severely depleted or close to such depletion. Further, Intensification of residential density and heavy additional load on civic infrastructure such as water supply, Drainage, Sewerage, Parking, etc. is highly undesirable in such areas from environmental considerations. Therefore, Villages containing existing farm houses clusters are notified as "Low Density Residential Area" (list of village at Annexure-I). Low Density Residential Plots are also allowed in the village falling in Green belt (List of villages in Green Belt at Annexure-II).

[F. No. K-12016/3/2008-DD-I]

SUNIL KUMAR, Under Secy.

ANNEXURE-I

List of villages declared as Low Density Residential Area (LDRA) in Urban Extension:

1. Sayurpur*	13. Mehrauli*
2. Satbari*	14. Rajokri
3. Chattapur	15. Samalkha
4. Khanpur	16. Ghitorni*
5. Devli*	17. Rangpuri*
6. Bhatti*	18. HolambiKhurd
7. FatehpurBeri*	19. Bakoli
8. Asola*	20. Bakatawarpur
9. Jounapur	21. Hiranki
10. Chandan Hula	22. Bliwasan
11. Gadaipur	23. Bamnoli
12. Sultanpur	

Note:

- In case if Metro Corridor is passing through villages in LDRA, development along Metro Corridor and Metro Influence zone shall also be allowed in LDRA villages as per TOD Policy.
- Low Density residential area in 5 villages mentioned at Sr. No. 1 to 5 shall be subject to relevant stipulations imposed by the Authority arising from Supreme Courts orders.
- *Villages where low density residential development may be allowed in the areas other than those falling under Regional Park.
- Any approved Layout/scheme falling in the above villages shall be deemed to have been approved under Clause 3(4) of Development Code of MPD-2021.
- The term "Village" refers to "Revenue Village Boundary".

Page 16

List of villages in Green Belt where Low Density Residential Plots are permitted :

ANNEXURE-II

Sl.No.	Planning Zone	Name of Village
(1)	Zone G	1. Bijwasan (Part) 2. Kapashera 3. Salahpur
(2)	Zone J	4. Rajokri (Part)
(3)	Zone K-II	5. Bamnoli (Part) 6. Bijwasan (Part)
(4)	Zone L	7. Badusaria 8. Bakargarh 9. Deorala 10. Dhansa 11. Ghalibpur 12. Ghumanhera 13. Isapur 14. Jainpur 15. JharodaKalan (Part) 16. Jhatikara 17. Kair 18. Kanganheri 19. Mitraon (Part) 20. MundhelaKalan 21. MundhelaKhurd 22. Nanakheri 23. Raghobpur 24. Rauta 25. Shikarpur 26. Surekhpur (Part) 27. TikriKalan (Part)
(5)	Zone P-I	28. Bakaner 29. Ghoga 30. Lampur 31. Mamurpur
(5)	Zone P-II	32. Hamidpur 33. Jhangola 34. Palla 35. Singhu 36. Tajpurkalan
(7)	Zone N	37. Auchandi 38. Mungeshpur 39. Qutabgarh 40. Khor Punjab 41. Chatesar 42. Jaunti 43. GarhiRindhala 44. Nizampur-Rashidpur 45. TikriKalan (Part) 46. Hareoli
(8)	Zone E	47. Mandoli

Source: As per Zonal Development Plan-2021.



DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

Sub: Policy of Development of Low Density Residential Area / Regularisation of Farm Houses as per the Notified Regulations to be implemented by the concerned Municipal Corporation of Delhi i.e. East Delhi Municipal Corporation, North Delhi Municipal Corporation & South Delhi Municipal Corporation.

As a part of review of MPD-2021 amendments to the existing provisions of Farm Houses has been notified as Low Density Residential Area vide S.O. No. 1189(E) dated 10.05.2013 and S.O. No. 1744 (E) dated 18.06.2013. The Regulations regarding regularization of Farm Houses were also notified under section 57 of DD Act 1957 vide S.O. No. 2622(E) dated 30.10.2012.

Ministry of Urban Development, has decided that in the light of section 12(3) (ii) of DD Act - 1957, the above mentioned policy provision in Low Density Residential Areas and Green Belt shall be implemented / dealt by the concerned Municipal Corporation of Delhi i.e. East Delhi Municipal Corporation, North Delhi Municipal Corporation & South Delhi Municipal Corporation. The General Public may accordingly approach the concerned Municipal Corporation of Delhi for Regularization of existing Farm Houses as well as sanctioning of new Low Density Residential Plot. Levy of charges shall be applicable as per the policy and rates notified by the Government.

File No : F.3/103356-MP/Pt IV

Dated : 18/09/2013
Place : New Delhi

(D. Sarkar)
Commissioner-cum-Secretary
Delhi Development Authority

Web DDA Website: www.dda.org.in or 011-2611-7000 Fax No. 1800-11-1100

12/09/13

pg 18
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Page 15



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2198]

No. 2198]

नई दिल्ली, शुक्रवार, सितम्बर 20, 2013/भाद्र 29, 1935
NEW DELHI, FRIDAY, SEPTEMBER 20, 2013/BHADRA 29, 1935

दिल्ली विकास प्राधिकरण

अधिसूचना

नई दिल्ली, 20 सितम्बर, 2013

दिल्ली में फार्म हाउसों के नियमन हेतु विनियम
(दिल्ली विकास अधिनियम, 1957 की धारा 57 के अंतर्गत)

का.आ. 2822(अ).—दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 57 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दिल्ली विकास प्राधिकरण केन्द्र सरकार के अनुमोदन से विद्यमान फार्म हाउसों के नियमन के संबंध में भारत के राजपत्र में प्रकाशित अधिसूचना सं. का.आ. 2822(अ), दिनांक 30 अक्टूबर, 2012 की अन्य शर्तों के पैरा 1.2 के अंतर्गत खण्ड (iii) के अनुपालन में एतद्वारा निम्नलिखित विनियम बनाता है।

श्रेणी-I क्षेत्र अर्थात् दक्षिणी दिल्ली, मध्य दिल्ली और द्वारका में अवस्थित संस्वीकृत फार्म हाउसों के संबंध में देय प्रमारों में दो घटक शामिल होंगे:-

1. उपयोग परिवर्तन प्रमार : 630 रु. प्रति वर्ग मीटर

2. अतिरिक्त निर्माण के लिए जुर्माना : यह निर्माण की लागत की प्रतिशतता के रूप में वसूल किया जाएगा और अतिरिक्त निर्माण की बढ़ती हुई सीमा के अनुसार उत्तरोत्तर बढ़ता जाएगा। इस संबंध में वसूल किये जाने वाले प्रमार निम्नानुसार होंगे :

क्र.सं.	उपयोग किया गया एफ. ए. आर.	5 से अधिक अतिरिक्त एफ.ए.आर.	लागू होने वाली निर्माण की लागत का %	दर प्रति वर्ग मीटर (रुपये में)
1.	5	0	लागू नहीं	शून्य
2.	10	5	50%	10,000
3.	15	10	60%	12,000
4.	20	15	70%	14,000
5.	25	20	80%	16,000
6.	30	25	90%	18,000

विद्यमान फार्म हाउसों के नियमन के लिए समेकित दरें

उपर्युक्त दरों को अपनाते हुए, उदाहरण के रूप में एक हेक्टेयर (10,000 वर्ग मीटर) के संस्वीकृत फार्म हाउसों के मामले में देय जुर्माने की दरें निम्नलिखित होंगी।

उपयोग किया गया एफ. ए. आर.	5 से अधिक अतिरिक्त एफ.ए.आर.	वर्ग मीटर में परिवर्तित	श्रेणी-'I' क्षेत्र में संस्वीकृत फार्म हाउस (प्रकार लाखों में)
5	0	0	63.00
10	5	500	113.00
15	10	1000	183.00
20	15	1500	273.00
25	20	2000	383.00
30	25	2500	513.00

सभी असंस्वीकृत फार्म हाउसों के मामले में 10% की दर से अतिरिक्त प्रभार वसूल किये जाएंगे।

श्रेणी-'I' क्षेत्र अर्थात् दक्षिणी दिल्ली, मध्य दिल्ली और द्वारका के बाहर अवस्थित फार्म हाउसों के लिए 25% की छूट की अनुमति दी जाएगी।

दिनांक 30 अक्टूबर, 2012 की अधिसूचना की अन्य निबंधन एवं शर्तें अपरिवर्तित रहेंगी।

ये प्रभार भारत सरकार द्वारा आगे संशोधन करने एवं अधिसूचना जारी करने तक लागू रहेंगे।

[फा. सं. एफ. 6(18)2012/ए.ओ.(पी.)]

डी. सरकार, आयुक्त एवं सचिव

**DELHI DEVELOPMENT AUTHORITY
NOTIFICATION**

New Delhi, the 20th September, 2013

Regulations for Regularization of Farm Houses in Delhi (Under Section 57 of DD Act, 1957)

S.O. 2822(E).—In exercise of powers conferred by section 57 of the Delhi Development Act, 1957 (61 of 1957), the Delhi Development Authority in accordance with the approval of the Central Government hereby makes the following regulations in pursuance to Clause (iii) under para 1.2 of Other Conditions of Notification No. S.O. 2622(E), dated 30th October, 2012 published in the Gazette of India, regarding Regularization of Existing Farm Houses.

The charges payable in respect of sanctioned farm houses in category-I Area i.e. located on South Delhi, Central Delhi and Dwarka will consist of two components :—

1. Use Conversion charges : Rs. 630 per sq. metre.
2. Penalty for excess construction: It would be charged as a percentage of cost of construction and would progressively increase with the increasing extent of excess construction. The charges payable in this regard will be as follows:

S.No.	FAR Utilized	Excess FAR over 5	% of cost of construction to be applied	Rate per sq. mtrs. (in Rs.)
1	5	0	NA	Nil
2	10	5	50%	10,000
3	15	10	60%	12,000
4	20	15	70%	14,000
5	25	20	80%	16,000
6	30	25	90%	18,000

Page 20

Consolidated Rates for Regularization of Existing Farm Houses

By adopting the aforesaid rates, the following would be the illustrative rates of penalty payable on sanctioned Farm Houses, for one hectare (10000 Sqm).

FAR Utilized	Excess FAR Over 5	Converted into Sq.M.	Sanctioned Farm Houses in Category-I area (Charges in Lakhs)
5	0	0	63.00
10	5	500	113.00
15	10	1000	183.00
20	15	1500	273.00
25	20	2000	383.00
30	25	2500	513.00

Additional Charges @ 10% shall be levied on all the Unsanctioned Farm Houses.

A rebate of 25% will be allowed for Farm Houses located outside Category-I areas i.e South Delhi, Central Delhi and Dwarka.

The other terms and conditions of Notification dated 30th October, 2012 will remain unchanged.

These charges will remain in force till further modification and notification by the Govt. of India.

[F. No. F. 6(18) 2012/AO (P)]
D. SARKAR, Commissioner-cum-Secy.

Page 34

sep 13

रजिस्ट्री सं० डी० एल०-33004/99

REGD. NO. D. L.-33004/99



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2240]

नई दिल्ली, बुधवार, सितम्बर 25, 2013/आश्विन 3, 1935

No. 2240]

NEW DELHI, WEDNESDAY, SEPTEMBER 25, 2013/ASVINA 3, 1935

शहरी विकास मंत्रालय

(दिल्ली प्रभाग)

अधिसूचना

नई दिल्ली, 24 सितम्बर, 2013

का.आ.2912(अ).— दिनांक 10 मई 2013 के का.आ.सं० 1199 (अ) में आंशिक संशोधन करते हुए निम्नलिखित संशोधन किये जाते हैं :

पैरा	दिल्ली मुख्य योजना-2021					
	मौजूदा प्रावधान			प्रस्तावित संशोधन/आशोधन		
1	2			3		
	फार्म हाऊस			कम घनत्व		
4.4.3 (जी)	(vi)	अनुमेय मुख्य रिहायशी एककों की संख्या	- अनुमेय एफएआर द्वारा नियंत्रित की जाने वाली एककों की संख्या - अनुमेय एफएआर के अतिरिक्त 60 वर्ग मीटर प्रति एकड़ की ईडब्ल्यूएस एकक	(vi)	अनुमेय मुख्य रिहायशी एककों की संख्या	-एक एकड़ (0.40 हेक्टेयर) के एलडीआरए भूखंड पर 20 एफएआर तक दो रिहायशी एकक अनुमत की जा सकती हैं तथा 10 अतिरिक्त एफएआर अर्थात् 20 से 30 तक एक अतिरिक्त रिहायशी एकक अनुमत है बशर्ते कि भारत सरकार द्वारा यथा अनुमोदित और अधिसूचित अपेक्षित प्रभारों का भुगतान किया गया हो। -अनुमेय एफएआर के अतिरिक्त 60 वर्ग मीटर प्रति एकड़ की ईडब्ल्यूएस एकक।

[फा.सं० के-12016/3/2008-डीडी-1]

सुनील कुमार, अवर सचिव

Page 27

MINISTRY OF URBAN DEVELOPMENT

(Delhi Division)

NOTIFICATION

New Delhi, the 25th September, 2013

S.O. 2912(E).—In partial modification to S.O. No. 1199 (E) dated 10th May, 2013 following modifications are made:

Para	MPD-2021					
	Existing provisions			Proposed amendments/modifications		
1	2			3		
	Farm House			Low density		
4.4.3(G)	(vi)	No. of main dwelling units permitted	- No. of units to be restricted by the FAR permissible. - EWS units of 60 sqm per acre in addition to permitted FAR.	(vi)	No. of main dwelling units permitted	- Two Dwelling Units on LDRA plot of one acre (0.40 ha.) may be permitted with FAR of 20 and for additional 10 FAR i.e. from 20 to 30 one additional Dwelling Unit is allowed subject to payment of requisite charges as approved and notified by the Government of India - EWS units of 60 sqm per acre in addition to permitted FAR.

[F. No. K-12016/3/2008-DD-I]

SUNIL KUMAR, Under Secy.

Page 23



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 01]

नई दिल्ली, बुधवार, जनवरी 01, 2014/पौष 11, 1935

No. 01]

NEW DELHI, WEDNESDAY, JANUARY 01, 2014/PAUSHA 11, 1935

दिल्ली विकास प्राधिकरण

अधिसूचना

नई दिल्ली, 31 दिसम्बर, 2013

Sees.

अधिसूचना संख्या का.आ. 1199(अ), दिनांक 10 मई, 2013 द्वारा प्रकाशित कम सघनता वाले रिहायशी क्षेत्र (एल डी आर ए) नीति में फार्म हाउसों के संबंध में अतिरिक्त तल क्षेत्रफल अनुपात का लाभ उठाने के लिए प्रभार।

का.आ. 01(अ).—दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 57 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और अधिसूचना संख्या का.आ. 1199(अ) क्रम संख्या 3 द्वारा अधिसूचित संशोधनों के अनुपालन में दिल्ली विकास प्राधिकरण केन्द्र सरकार के अनुमोदन के अनुसार कम सघनता वाले रिहायशी क्षेत्र में फार्म हाउसों के संबंध में अतिरिक्त तल क्षेत्रफल अनुपात (एफ ए आर) का लाभ उठाने के लिए निम्नलिखित प्रभारों को एतद्वारा अधिसूचित करता है।

श्रेणी I क्षेत्र अर्थात् दक्षिणी दिल्ली, मध्य दिल्ली और द्वारका में अवस्थित, के अंतर्गत कम सघनता वाले रिहायशी क्षेत्र में फार्म हाउसों के संबंध में देय प्रभारों में दो चटक शामिल होंगे।

1. उपयोग परिवर्तन प्रभार : 630 रु. प्रति वर्ग मीटर
2. अतिरिक्त निर्माण के लिए प्रभार :
20 से अधिक और 25 एफ ए आर तक अतिरिक्त निर्माण के लिए प्रभार 16000 रु. प्रति वर्ग मीटर की दर से वसूल जायेंगे। हालांकि 25 से अधिक और 30 एफ ए आर तक के मामले में 20 एफ ए आर से अधिक के पूरे क्षेत्र के लिए 18000 रु. प्रति वर्ग मी. की दर से वसूल किये जायेंगे

एल.डी.आर.ए. में फार्म हाउसों के नियमन के लिए समेकित दरें

उपरोक्त दरों को अपनाते हुए, उदाहरण के रूप में 0.4 हेक्टेयर (4000 वर्ग मीटर) के लिए एल.डी.आर.ए. में फार्म हाउसों के मामले में देय प्रभार की दरें निम्नलिखित होंगी।

उपयोग किया गया एफ. ए. अंश	20 से अधिक अतिरिक्त एफ. ए. अंश	वर्ग मीटर में परिवर्तित	श्रेणी-I क्षेत्र के अंतर्गत फार्म हाउस (प्रचार लाख रु. में)
20	0	0	25.20
25	5	200	57.20
30	10	400	97.20

श्रेणी-I अर्थात् दक्षिणी दिल्ली, मध्य दिल्ली और द्वारका के बाहर अवस्थित फार्म हाउसों के लिए 25 प्रतिशत की छूट की अनुमति दी जाएगी।

दिनांक 10-5-2013 की अधिसूचना की अन्य निर्बंधन एवं शर्तें अपरिवर्तित रहेंगी।

ये प्रचार भारत सरकार द्वारा आगे संशोधन तथा अधिसूचना जारी करने तक लागू रहेंगे।

[फा. सं. एफ. 6(18)2012/ए ओ. (पी)]

असमा मंजर, आयुक्त एवं सचिव

DELHI DEVELOPMENT AUTHORITY NOTIFICATION

New Delhi, the 31st December, 2013

Charges for availing additional Floor Area Ratio in respect of Farmhouses in the Low Density Residential Area (LDRA) policy published vide Notification No. S.O. 1199(E), dated 10th May, 2013.

S.O. 01(E).—In exercise of powers conferred by Section 57 of the Delhi Development Act, 1957 (61 of 1957), and in pursuance to the modifications notified vide Sl. No. 3 of Notification No. S.O. 1199(E), dated 10-5-2013, Delhi Development Authority as per the approval of the Central Government hereby notifies the following charges for availing additional FAR in respect of Farmhouses in the Low Density Residential Area.

The charges payable in respect of farm houses in Low Density Residential Area under category-I i.e. located in South Delhi, Central Delhi and Dwarka will consist of the following two components.

1. Use Conversion charges : Rs. 630 per sq. mtr.

2. Charges for excess construction:

The charges for excess construction beyond 20 and upto 25 FAR would be recovered @ Rs. 16,000 per sq.mtrs. However in case of FAR beyond 25 and upto 30, the charges would be recovered @ Rs. 18,000 per sq. mtr. for entire area beyond 20 FAR.

Consolidated Rates for Regularization of Farm Houses in LDRA.

By adopting the aforesaid rates, the following would be the illustrative rates of charges payable on Farm Houses in LDRA for 0.4 hectare (4000 Sqm).

FAR Utilized	Excess FAR over 20	Converted into Sq. Mtr.	Farm Houses under Category-I area (Charges in Lakhs of Rs.)
20	0	0	25.20
25	5	200	57.20
30	10	400	97.20

A rebate of 25% will be allowed for Farm Houses located outside Category-I areas i.e. South Delhi, Central Delhi and Dwarka.

The other terms and conditions of Notification dated 10.05.2013 will remain unchanged.

These charges will remain in force till further modification and notification by the Govt. of India.

[F. No. F. 6(18)2012/AO (P)]

ASMA MANZAR, Commissioner-cum-Secy..

13

भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (II)

PART II—Section 3—Sub-section (II)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 314]

नई दिल्ली, मंगलवार, फरवरी 11, 2014/माघ 22, 1935

No. 314]

NEW DELHI, TUESDAY, FEBRUARY 11, 2014/MAGHA 22, 1935

दिल्ली विकास प्राधिकरण

अधिसूचना

नई दिल्ली, 11 फरवरी, 2014

विषय : का.आ. 1199 (अ) दिनांक 10.5.2013 तथा का.आ. 1744 (अ) दिनांक 18.6.2013 द्वारा अधिसूचित निम्न सघनता वाले रिहायशी क्षेत्र (एल.डी.आर.ए.) में प्लॉट के संबंध में अतिरिक्त तल क्षेत्र अनुपात (एफ.ए.आर.) प्राप्त करने के लिए प्रभार ।

का.आ. 378(अ).—अधिसूचना संख्या का.आ. 1199 (अ) दिनांक 10.5.2013 के क्रम संख्या-3 द्वारा अधिसूचित संशोधनों के अनुपालन में दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 57 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिल्ली विकास प्राधिकरण केन्द्र सरकार के पूर्ण अनुमोदन से निम्नलिखित विनियम बनाता है । दिल्ली विकास प्राधिकरण का.आ. 1199 (अ) दिनांक 10.5.2013 तथा का.आ. 1744 (अ) दिनांक 18.6.2013 द्वारा अधिसूचित एल.डी.आर.ए. प्लॉटों के संबंध में अतिरिक्त एफ.ए.आर. प्राप्त करने के लिए निम्नलिखित प्रभारों को एतद्वारा अधिसूचित करता है ।

20 एफ.ए.आर. तक कोई प्रभार नहीं होगा । 20 एफ.ए.आर. से अधिक तथा 25 एफ.ए.आर. तक अतिरिक्त निर्माण के लिए 16000 रुपए प्रति वर्ग मीटर की दर से प्रभार वसूल किए जाएंगे । 25 एफ.ए.आर. से अधिक तथा 30 एफ.ए.आर. तक के मामले में 18000 रुपए प्रति वर्ग मीटर की दर से प्रभार वसूल किये जाएंगे ।

उक्त दरों को लागू करते हुए, दिनांक 10.5.2013 को अधिसूचित नीति के संबंध में 0.4 हेक्टेयर (4000 वर्गमीटर) आकार के एल.डी.आर.ए. में प्लॉटों के लिए देय प्रभारों की निदर्शी दरें निम्नानुसार होंगी:

उपयोग किया गया एफ.ए.आर.	20 से अधिक अतिरिक्त एफ.ए.आर.	वर्ग मीटर में परिवर्तित	वसूल किये जाने वाले प्रभारों की दरें (रु.प्र.व.मी. में)	कुल प्रभार (लाख रुपए में)
20	0	0	शून्य	शून्य
22	2	80	16000	12.80
25	5	200	16000	32.00
27	7	280	18000	50.40
30	10	400	18000	72.00

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इस अधिसूचना द्वारा अधिसूचना सं. का.आ. 01(अ) दिनांक 1.1.2014 को रद्द किया जाता है।
ये प्रकार भारत सरकार द्वारा आगे संशोधन करने तथा अधिसूचना जारी करने तक लागू रहेंगे।

[फा. सं. एफ 6(18)2012/ए.ओ.(पी)]

डी. सरकार, आयुक्त एवं सचिव

**DELHI DEVELOPMENT AUTHORITY
NOTIFICATION**

New Delhi, the 11th February, 2014

Subject: Charges for availing additional Floor Area Ratio (FAR) in respect of plots in the Low Density Residential Area (LDRA) notified vide S.O. 1199(E) dated 10.05.2013 and S.O. 1744(E), dated 18.6.2013

S.O. 376(E).—In exercise of powers conferred by section 57 of the Delhi Development Act, 1957 (61 of 1957), the Delhi Development Authority with the previous approval of the Central Government, hereby makes the following regulation in pursuance to the modification notified vide Sl. No. 3 of Notification No. S.O. 1199(E) dated 10.5.2013. Delhi Development hereby notifies the following charges for availing additional FAR in respect of LDRA plots notified vide S.O. 1199 (E) dated 10.5.2013 and S.O. 1744 (E) dated 18.6.2013.

There are no charges up to 20 FAR. The charges for excess construction beyond 20 and up to 25 FAR shall be recovered @ Rs. 16000 per sq m. In the case of FAR beyond 25 and up to 30 the charges shall be recovered @ Rs. 18000 per sq m.

By adopting the aforesaid rates, the following would be the illustrative rates of charges payable for plots in LDRA of 0.4 ha size (4000 sq m) in terms of policy notified on 10.5.2013 as follows:

FAR Utilized	Excess FAR Over 20	Converted into Sq. M.	Rates of charges to be recovered (in Rs./Sq m)	Total Charges in lakhs of Rs.)
20	0	0	Nil	Nil
22	2	80	16000	12.80
25	5	200	16000	32.00
27	7	280	18000	50.40
30	10	400	18000	72.00

This notification is in supersession of the Notification No. S.O. 01(E) dated 1.1.2014.

These charges will remain in force till further modification and notification by the Government of India.

[F. No. F 6(18)2012/AO(P)]

D. SARKAR, Commissioner-Cum-Secy.

भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (II)

PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, बुधवार, फरवरी 12, 2014/माघ 23, 1935
NEW DELHI, WEDNESDAY, FEBRUARY 12, 2014/MAGHA 23, 1935

दिल्ली विकास प्राधिकरण

अधिसूचना

नई दिल्ली, 12 फरवरी, 2014

विषय:—दिल्ली में फार्म हाउसों के नियमन हेतु का.आ. 2622 (अ) दिनांक 30.10.2012 द्वारा अधिसूचित विनियमों में संशोधन/संशोधन

(दिल्ली विकास अधिनियम, 1957 की धारा 57 के अंतर्गत)

का.आ. 381(अ).—दिल्ली विकास प्राधिकरण दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 57 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार के पूर्व अनुमोदन से दिल्ली में फार्म हाउसों के नियमन हेतु विनियमों, जिनका अधिसूचना संख्या का.आ. 2622(अ) दिनांक 30-10-2012 द्वारा अधिसूचित किया गया था, के पैरा 1.2 (ix) की शर्तों में एतद्वारा निम्नलिखित संशोधन/परिवर्तन करता है:

संशोधन :

क्र. सं.	दिनांक 30.12.2012 के विनियमों में विद्यमान प्रावधान	परिवर्तन/संशोधन
1.	पैरा 1.2 अन्य शर्तें (i) विद्यमान फार्म हाउसों को निम्नलिखित विकास नियंत्रण मानकों के साथ नियमन की अनुमति दी जाएगी : (क) प्लॉट का आकार लागू मुख्य योजना के अनुसार : न्यूनतम 1 एकड़—दि.मु. योजना-62 न्यूनतम 1 हैक्टेयर—दि.मु.यो. 2001	पैरा 1.2 अन्य शर्तें (i) विद्यमान फार्म हाउसों को निम्नलिखित विकास नियंत्रण मानकों के साथ नियमन की अनुमति दी जाएगी : (क) प्लॉट का आकार न्यूनतम 1 एकड़ (अधिसूचना का.आ. 1199(अ) दिनांक 10.5.2013 को ध्यान में रखते हुए)
2.	पैरा 1.2(viii) स्वामी ऐसे नियमन के लिए निर्धारित प्रभारों की दरों तथा भुगतान की अधिसूचना के 180 दिनों के अंदर आवेदन करके एक बार माफी प्राप्त कर सकते हैं।	पैरा 1.2(viii) स्वामी ऐसे नियमन के लिए निर्धारित प्रभारों की दरों तथा भुगतान की अधिसूचना के 360 दिनों के अंदर आवेदन करके एक बार माफी प्राप्त कर सकते हैं।

578 GI/2014

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Page 27

3.	कोई प्राक्कान नहीं।	पैरा 1.3 सैट बैक (i) जिन मामलों में सम्पत्ति शहरी सड़क से सटी हुई है उन मामलों में आवासीय भवन का सैट बैक उस सड़क की मध्य रेखा से 30 मीटर होना चाहिए। जिन मामलों में सम्पत्ति ग्रामीण सड़क से सटी हुई है उन मामलों में सैट बैक उस सड़क की मध्य रेखा से सामने की ओर 15 मीटर तथा तीनों ओर से 5 मीटर होना चाहिए। (ii) निगरानी एवं देखभाल सुरक्षा इकाई के लिए अनुमति चार दीवारी अथवा प्रवेश द्वार के समीप दी जाएगी तथा यह एक.ए.आर. एवं सैट बैक मानकों से अलग होगी।
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[फा. सं. एक 3 (103)96-एमपी.]
डी. सरकार, आयुक्त एवं सचिव

**DELHI DEVELOPMENT AUTHORITY
NOTIFICATION**

New Delhi, the 12th February, 2014

Sub :—Addendum/Modification to Regulations for Regularization of Farm Houses in Delhi notified *vide* No. S.O. 2622(E) dated 30-10-2012

(Under Section 57 of DD Act, 1957)

S.O. 381(E).—In exercise of powers conferred by Section 57 of Delhi Development Act, 1957 (61 of 1957), the Delhi Development Authority, with the prior approval of the Central Government, hereby makes the following amendments/modification in terms of Para 1.2 (ix) to the Regulations for Regularization of Farm Houses in Delhi which were notified *vide* Notification No. S.O. 2622(E) dated 30-10-2012.

AMENDMENTS

S. No.	Existing Provision in the Regulations dated 30-10-2012	Modification/Amendments						
1.	Para 1.2 Other Conditions (i) Existing Farm Houses shall be allowed to be regularized with following development control norms : <table border="1"> <tr> <td>(a)</td><td>Size of the Plot</td><td>As per the applicable Master Plan: Min. 1 acre – MPD-62 Min. 1 Ha- MPD-2001</td></tr> </table>	(a)	Size of the Plot	As per the applicable Master Plan: Min. 1 acre – MPD-62 Min. 1 Ha- MPD-2001	Para 1.2 Other Conditions (i) Existing Farm Houses shall be allowed to be regularized with following development control norms : <table border="1"> <tr> <td>(a)</td><td>Size of the Plot</td><td>Min 1 acre (in view of Notification S.O. 1199 (E) dated 10.05.2013)</td></tr> </table>	(a)	Size of the Plot	Min 1 acre (in view of Notification S.O. 1199 (E) dated 10.05.2013)
(a)	Size of the Plot	As per the applicable Master Plan: Min. 1 acre – MPD-62 Min. 1 Ha- MPD-2001						
(a)	Size of the Plot	Min 1 acre (in view of Notification S.O. 1199 (E) dated 10.05.2013)						
2.	Para 1.2 (viii) This one time amnesty can be availed by the owner by applying within 180 days of the notification of rates and payment of the prescribed charges for such regularization.	Para 1.2 (viii) This one time amnesty can be availed by the owner by applying within 360 days of the notification of rates and payment of the prescribed charges for such regularization.						
3.	No Provision	Para 1.3 Setbacks (i) Where the property abuts urban road, the dwelling house building should be setback from the center line of that road by 30 mt. Where the property abuts village road, the building setback from the center line of that road should be 15 mt. in the front side and 5 mt. on three sides. (ii) The watch and ward guard unit will be permitted adjacent to boundary or entrance gate and it is to be excluded from the FAR and setback norms.						

[F. No. F. 3(103)96-MP]

D. SARKAR, Commissioner-cum Secy.

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SOUTH DELHI MUNICIPAL CORPORATION
OFFICE OF THE ADDITIONAL COMMISSIONER (ENGG.)
DR. S.P.M. CIVIC CENTRE : J.L.NEHRU MARG
NEW DELHI - 110 002

No.D/159/SE(B)HQ/SDMC/2013

Dated : 26.02.2014

C I R C U L A R

REGULATIONS AND SIMPLIFIED PROCEDURE FOR
REGULARIZATION OF FARM HOUSE IN DELHI

SUB: SIMPLIFIED PROCEDURE FOR REGULARIZATION OF EXISTING FARM HOUSES AS PER THE REGULATIONS NOTIFIED VIDE GAZETTE NOTIFICATIONS DATED 30TH OCTOBER-2012 READ WITH RELEVANT NOTIFICATIONS / MODIFICATIONS DATED 20TH SEPTEMBER-2013 AND 31ST DECEMBER-2013, ADDENDUM / MODIFICATION THERETO VIDE GAZETTE NOTIFICATIONS DATED 12TH FEBRUARY-2014 AND MASTER PLAN-2021 / BUILDING BYE-LAWS-1983

The Delhi Development Authority has notified the regulations for regularization of existing Farm Houses vide Gazette Notifications dated 30.10.2012, read with amendments by virtue of Notifications dated 20.09.2012, 31.12.2013, and with Addendum / Modification thereto vide Gazette Notification dated 12.02.2014. The Delhi Development Authority, vide its Public Notices dated 18.09.2013 and 24.09.2013, has informed the public regarding policy for regularization of existing Farm Houses in Low Density Residential Area (LDRA) notified by the Ministry of Urban Development vide Notification S.O.No.1744(E) dated 18.06.2013 accordance with the regulations / norms contained in the Gazette Notification - SO No. 2622(E) dated 30.10.2012, read with Gazette Notification dated 20.09.2013 and applicable provisions of Master Plan-2021. In this regard, a Public Notice has also been issued on 06.10.2013 by the Chief Town Planner, South & North Delhi Municipal Corporation.

The Delhi Development Authority, vide Gazette Notification No. S.O.1199(E) dated 10.05.2013 read with Gazette Notification S.O. No. 2912(E) dated 25.09.2013 has notified the regulations for development of "Low Density Residential Plots" (LDRP) in Green Belt and "Low Density Residential Area" (LDRA). Existing Farm Houses (regularized as per policy) and new LDRP have been permitted in the LDRA in the Urban Extension. New LDRPs are also permitted in the green belt, as per Notification vide S.O.No. 1199(E) dated 10.05.2013. Further, the LDRA


Executive Engineer (Engrg & C)
South Delhi Municipal Corporation
8th Floor, Civic Centre, New Delhi

Page 30

have been notified vide Gazette Notification S.O.No.1744(E) dated 18.06.2013.

The South Delhi Municipal Corporation and North Delhi Municipal Corporations unanimously introduced a "Simplified Procedure" for regularization of existing construction in the Farm Houses and launched a special scheme for regularization of existing Farm Houses where construction has been carried out prior to 07.02.2007, in respect of the areas under their respective jurisdiction vide Circular No. D/130/SE(B)HQ/SDMC/13 dated 22.10.2013.

In the wake of subsequent Gazette Notification dated 12.02.2014, the Simplified Procedure has been modified, and in supersession of said Circular dated 22.10.2013, the modified scheme for regularization of Farm Houses - solely based on the regulations framed by the D.D.A. vide aforesaid Notifications dated 30.10.2012, read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Laws-1983 and other applicable regulations, is as under:

SECTION - A : SCHEME FOR REGULARIZATION OF FARM HOUSES:

A. Farm Houses in green / agricultural areas in the Master Plan previous to the MPD-2021, that had come up prior to 07.02.2007, except falling in the categories defined in the Notification dated 30.10.2012 to be read with relevant Notification dated 31.12.2013, shall be regularized under the regulations as per said Notification.

B. Existing Farm Houses shall be allowed to be regularized with following Development Control Norms:

(a)	Size of the Plot	Minimum 1 Acre (In view of Notification S.O. 1199 (E) dated 10.05.2013.
(b)	Max. FAR on total plot	30
(c)	Minimum Green area Maximum soft parking and roads	50% 20%
(d)	Maximum Height	12 meters
(e)	Number of main Dwelling Units permitted	- 1 per Acre (with EWS units of 30 sq.mt. each per main dwelling units) - 0.5 acre and above to be rounded off to the next additional unit

C. Where the property abuts urban road, the dwelling house building should be setback from the center line

For the Municipal Corporation,
South Delhi, New Delhi

of that road by 30 mt. Where the property abuts village road, the building setback from the center line of that road should be 15 mt. in the front side and 5 mt. on three sides.

D. Every part of the building, including the basement, where used for normal habitation other than for storage, parking, services and utilities will be counted in FAR. However, the watch and ward guard unit will be permitted adjacent to boundary or entrance gate and it is to be excluded from the FAR and setback norms.

E. Existing Farm Houses applying for regularization of area upto 30 FAR will be compounded on payment of penalty on payment of the notified rates. ✓

F. External Development Charges (EDC) / Betterment Levy as applicable shall be payable by the applicant.

G. Any person intending to avail of the policy regarding regularization of Farm Houses must comply with the requirements of the policy regarding regularization of existing Farm Houses notified by the D.D.A. vide S.O.No. 2622(E) dated 30.10.2012 read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Laws-1983 and other applicable regulations.

H. In order to extend the benefit of said scheme to the owners of eligible Farm Houses, and to operationalise / Implement the provisions for regularization of Farm Houses as per Notification dated 30.10.2012 to be read with relevant Notifications / modifications and provisions of Master Plan-2021 / Building Bye-Laws-1983, as per the modalities of the regularization of Farm House approved by the Hon'ble Lt. Governor, Delhi, the application for regularization of Farm Houses must be accompanied by four sets of the following documents:-

(i) Any one of the following in the name of the former /current plot owner should be sufficient to establish criteria for the date of construction prior to 07.02.2007, in addition to a Certificate of a certified Architect registered with Council of Architecture (COA), as given hereunder:

- a) Receipt of MCD tax payment;
- b) Receipt of Electricity Bill payment;
- c) Completion Certificate.

(ii) The building plans of the existing building as approved by the M.C.D. / respective Corporation


Executive Engineer (P&D), M.C.D.
Ch Delhi Municipal Corporation
1, Plot, Civic Centre, New Delhi

Page 37

/ Local Body, If any, alongwith the letter of approval;

- (iii) In any case of unsanctioned Farm Houses, the land ownership documents duly authenticated by the Revenue Department / Land Department of GNCTD; // new
- (iv) Affidavit from the owner agreeing of the land to ensure that minimum 6.00 mtr. ROW is available in front of the Farm House to Local Body; // new
- (v) Details of property tax paid by the owner of the Farm Houses to Local Body;
- (vi) Affidavit from the owner(s) confirming that their existing Farm House does not fall under the categories mentioned at Clause 1.1 (ii), (iii) & (iv) of the Notification No.SO 2622 (E) dated 30.10.2012 to be read with relevant Notification dated 31.12.2013. In case the existing Farm House falls under any of the categories above, the applicant should apply to D.D.A. for clarification;
- (vii) An Undertaking by the Farm House owner for payment of betterment charges;
- (viii) Proof of deposit of compounding / regularization charges as per the charges notified for levy of Conversion Charges, External Development Charges and other charges.
- (ix) The charges payable in this regard, as notified by the Delhi Development Authority, vide its Gazette Notification dated 20.09.2013, will be as follows:

a) The charges payable in respect of Sanctioned Farm Houses in Category-I area i.e. Located on South Delhi, Central Delhi and Dwarka will consist of two components:

1. Use Conversion Charges: Rs.630 per sq.mts.

2. Penalty for excess construction: It would be charged as a percentage of cost of construction and would progressively increase with the increasing extent of excess construction.


Executive Engineer (240g.) H.O.
South Delhi Municipal Corporation
Municipal Corporation, South Delhi

bye 36

S.No.	FAR Utilized	Excess FAR over 5	% cost of construction to be applied	Rate per sq.mt. (In Rs.)
1	5	0	NA	Nil
2	10	5	50%	10,000/-
3	15	10	60%	12,000/-
4	20	15	70%	14,000/-
5	25	20	80%	16,000/-
6	30	25	90%	18,000/-

b) Additional Charges @ 10% shall be levied on all the unsanctioned Farm Houses.

c) A rebate of 25% will be allowed for Farm Houses located outside Category-I areas i.e. South Delhi, Central Delhi and Dwarka.

d) The other terms and conditions of Notification dated 30.10.2012 read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Lass-1983 and other applicable regulations shall remain unchanged.

e) These charges will remain in force till further modification and notification by the Government of India.

[Signature]
Executive Engineer (Mtg. II),
South Delhi Municipal Corporation
City Office, Connaught Place, New Delhi

(x) An Affidavit / Undertaking from the owner of the Farm House that the land required for developing area infrastructure services / public utility projects shall be surrendered by the owner in the Interest of the overall development of the area;

(xi) In case of (iv) & (x) above, owner of the Farm House will be entitled to avail FAR on land size as was before surrender/ acquisition;

(xii) An Affidavit / Undertaking from the owner to the effect that there is no court order for eviction / vacation of premises in favour of Government or DDA or South DMC.

Bye 3A

(xiii) In the regularization process, the owners will ensure adequate parking provisions within the premises itself if the Farm House is used for any permissible activity under the policy;

(xiv) a) The building plans for regularization to be accompanied with all the forms and Annexures;

b) Structural Safety Certificate from a certified Civil Engineer;

(xv) All documents shall be authenticated by the Architects registered with COA or those Architects who are on the panel of the Corporation and owners of the property jointly.

SECTION B: PROCEDURE FOR REGULARISATION OF FARM HOUSE:

1. HOW TO APPLY FOR REGULARISATION:

(a) The owner intending to get his construction regularized is required to submit a formal application in the prescribed Format (**Annexure-A**) in writing, which shall be accompanied by the certain requisite documents.

(b) An Architect registered with the Council of Architecture under Architect Act, 1972, or those Architects who are on the panel of the Corporation, shall have the authority to certify the drawings / building plans and all the documents attached in the file, for their correctness, genuineness and authenticity in terms of construction proposed to be regularized in accordance with the Gazette Notification dated 30.10.2012 read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Lass-1983 and other applicable regulations.

*For signed Engineer (Bldg. M/A)
City Engineer, Corporation
City Engineer, New Delhi*

2. DOCUMENTS TO BE SUBMITTED (duly authenticated and signed jointly by the Owner as well as Architect):

(a) Application form in the prescribed format- (**Annexure-A**) for regularization of existing construction in the Farm House;

(b) Four sets of building plan (1-cloth mounted) of existing construction of Farm House, duly signed by the owner

and registered Architect. The colour notation to be followed for the plans shall be as under:-

- I. Construction carried out with prior approval -No colour
- II. Portion proposed to be got regularized - Red

- (c) Copy of Sanctioned Building Plan / Sanction Letter and / or Completion Certificate of the Farm House under reference (In case of sanctioned Farm House);
- (d) Proof of ownership documents, duly authenticated by the Revenue Department /Land Department and NOC from the Land Acquisition Department or requisite NOCs from the concerned Departments of GNCTD, if applicable (In case of unsanctioned Farm House);
- (e) Any one of the following in the name of the former /current plot owner should be sufficient to establish criteria for the date of construction prior to 07.02.2007, in addition to a Certificate of a certified Architect registered with Council of Architecture (COA), as given hereunder:
 - i) Receipt of MCD tax payment;
 - ii) Receipt of Electricity Bill payment;
 - iii) Completion Certificate.
- (f) Latest Property Tax paid receipt in respect of Farm House;
- (g) Certificate of supervision by Architect and Engineer - (Annexure-B) alongwith a copy of their registration;
- (h) Certificate of supervision by Plumber / Engineer- (Annexure-C);
- (i) Certificate by owner(s) and Structural Engineer for safety from natural hazard as per the prescribed format by the Central Government -(Annexure-D)'
- (j) All the applicable charges shall be worked out by the owner and Architect, which shall be ascertained / verified by the staff of the Building Department on the basis of data provided by the owner and Architect. A statement, jointly signed by the applicant and Architect, showing detailed calculation or working out the compounding fee shall be enclosed by the owner / architect.
- (k) In case the plot area / size, built- up area, FAR, any other data such as green area, soft parking area, dwelling units, year of construction, ownership information disclosed by the owner / architect is found incorrect, the regularization shall be cancelled forthwith and the regularization / compounding charges

by 38

shall be forfeited by the Department after affording prior proper hearing to the owner / Architect. Further, owner shall apply fresh (within the validity period of the scheme) for regularization of the existing Farm House, and shall also be liable to pay the regularization charges as per prevailing rates / policy of the Department afresh & the Department shall take action against the Architect as per Law. However, there shall be no such forfeiture of charges if the deviation is within 2% of actual area and only the difference in calculation, if any, would be payable.

- (l) Affidavit of the owner that there is no encroachment on Municipal / Government / public / Revenue land / Other's property / road widths / DDA Ridge Area / regional park - as per Annexure-E;
- (m) Four sets of photographs of existing Farm House reflecting all sides and elevations, duly signed by the owner as well as Architect;
- (n) In case of unsanctioned Farm Houses, requisite NOCs from concerned Departments / Agencies such as Archaeological Survey of India (ASI), Delhi Metro Rail Department (DMRC), Department of Forest (from construction carried out in ridge area point of view), A.D.M. (LA)-(from land acquisition point of view), Revenue Department-Government of NCT of Delhi and other concerned Departments, as applicable;
- (o) An Affidavit / Undertaking from the owner to the effect that there is no court order for eviction / vacation of premises in favour of Government or DDA or South DMC.
- (p) The requisite Affidavits and Documents as contained in the Section-A above.
- (q) Affidavit / Undertaking of the owner as well as registered Architect that the Farm House building conforms to the regulations / provisions contained in the Notification dated 30.10.2012, read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice Issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Laws-1983 and other applicable regulations, and there is no non-compoundable deviation and there is no construction existing beyond the ambit defined in the said Notification, and onus on this account shall lie with them only. The applicant is required to demolish the unauthorized construction which does not fall within the ambit of permissible limit as per aforesaid Notifications before applying for regularization.- (Annexure-E & F);


 Joint Secretary (City & O.D.)
 Municipal Corporation
 New Delhi



3. WHERE TO APPLY FOR REGULARISATION:

An application for regularization of existing construction in Farm House, duly, filled in and signed by the owner as well as registered Architect / Engineer / Professional with the aforementioned documents should be submitted in the Office of Superintending Engineer (Bldg)HQ of the respective Corporation i.e. 8th Floor, and 9th Floor Civic Centre, New Delhi for North and South Delhi Municipal Corporation respectively.

4. PROCEDURE FOR THE DEPARTMENT:

The following steps shall be taken by the Department for necessary effective monitoring, processing and for disposal of such cases:-

1. A counseling service shall remain available to the applicant and Architect at the respective Building (HQ) level. All possible cooperation within the framework of law shall be rendered to the applicant and Architect by the concerned officers of the Department.
2. The proposal with all requisite information, documents, Affidavits and Indemnity Bond, NOCs and Certificates, duly signed by the owner and Architect, shall be accepted by the Department. Incomplete proposals shall not be accepted.
3. A separate file number will be allotted to each application.
4. A separate register shall be maintained, containing relevant entries of all such cases. This Register, alongwith all such files, will be kept under the direct supervision of Executive Engineer (Bldg)HQ.
5. The case shall be scrutinized / examined in accordance with the relevant regulations notified vide Gazette Notification dated 30.10.2012 read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice Issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Lass-1983 and other applicable regulations.
6. An Intimation regarding observations and / or deficiencies in the submitted application in terms of documentary requirements, amount of compounding fee / applicable charges to be deposited, etc. will be sent to the applicant, with copy to Architect, for necessary compliances on their part. This notice shall be issued within a period of 15 days of the receipt of application for regularization. After compliance of all the requisite formalities / deposition of applicable charges, the Farm House shall be regularized within a period of 15 days.

30.10
20.09
31.12
12.02

kgc98

7. The cases, wherein building plans have not been sanctioned in the past, shall be referred to the Town Planning Department and all other concerned Departments, for their comments / requisite NOCs, if applicable. Whereas the cases, wherein building plans were sanctioned earlier and there is no change in the area of plot, size & shape etc., shall not be referred to the Town Planning Department.

8. After regularization, a copy of the regularization plan shall be handed over to the owner / architect with the following note:-

"Request for Regularization of existing construction in Farm House accepted, and portion of the Farm House shown in 'red' colour stands regularized in terms of construction and for residential use only. However, Corporation reserves its right to check the Farm House for correctness of the plans and the amount deposited towards regularization. In case construction does not tally with the regularization plans or charges deposited are less than the notified rates, the status of Farm House, as regularized, shall be deemed to have been withdrawn and the Corporation will be free to take action as per law."

9. The competent authority for regularization of Farm House(s) shall be the Superintending Engineer (Bldg)HQ of the respective Corporation.

10. An intimation regarding such regularization shall be sent to the House Tax and Building Departments of the concerned Zone for their information and record.

TEST CHECK:

The Corporation reserves its right for verification of the correctness and genuineness of the plans / documents vis-à-vis the existing construction including site verification and for checking shortfall in the amount deposited by the applicant and for detecting misrepresentation of facts, if any. In case it is found that the proposal of regularization is not in conformity with the Gazette Notification dated 30.10.2012, read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Laws-1983 and other applicable regulations, the regularization plan shall be liable to be revoked and necessary action against the Farm House will be taken as per law.

In addition, 20% of the cases each month shall be selected randomly by the Additional Commissioner (Engg) for verification in all respects including site survey. If any discrepancy is noticed during test check, strict appropriate action should be initiated against the owner / Architect under various provisions of DMC Act, 1957 including cancellation

[Signature]
 Sd/- Additional Commissioner (Engg)
 Town Planning Department, New Delhi

of Architect's license and revocation of regularization plan and checking of all cases submitted by the Architect.

The Department shall be at liberty to exercise the check of any such regularization plan over and above the aforesaid stipulation. A list of all such cases, i.e. submitted, pending and decided as well as amount recovered, shall be placed before the Higher authorities fortnightly by the Building(HQ) on 5th and 20th of every month including the cases of mis- representation observed during random check.

The violation in respect of regularization at any stage shall be sternly dealt with by the competent authority as per Law.

ADDITIONAL INFORMATION:

This one-time amnesty can be availed by the owner by applying within 360 days of the notification of rates and payment of the prescribed charges for such regularization i.e. from 20.09.2013.

The Government may issue further clarifications / amendments with regard to regularization of Farm Houses, which shall remain binding on the applicant and Architect.

The above scheme has also been uploaded on the website - www.mcdonline.gov.in, which is accessible for general public.

The above procedure will come into force with immediate effect.


Additional Commissioner (Engg.)
South DMC

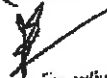
1. All Zonal Deputy Commissioners - North & South DMCs
2. All Zonal Superintending Engineers - North & South DMCs
3. All Superintending Engineers (Bldg)HQ / Zones

Copy for information to:-

1. Secy. to Commissioner - North & South DMCs
2. All Additional Commissioners - North & South DMCs
3. Engineer-in-Chief- North & South DMCs
4. All Chief Engineers- North & South DMCs
5. Chief Town Planner - North & South DMCs
6. Chief Architect, South DMC - North & South DMCs
7. Council of Architecture

Copy for kind information to:-

- a) Hon'ble Mayor -North & South DMCs
- b) Dy. Mayor - North & South DMCs
- c) Chairman, Standing Committee - North & South DMCs
- d) Dy. Chairman, Standing Committee - North & South DMCs
- e) Leader of the House- North & South DMCs
- f) Leader of the Opposition - North & South DMCs



For the Secretary,
Municipal Corporation,
New Delhi



ANNEXURE-A**FORM OF APPLICATION FOR REGULARIZATION OF EXISTING FARM HOUSE**

To

The Commissioner
South / North Delhi Municipal Corporation
E-1 Wing, Dr. Shyama Parshad Mukherjee Civic Centre
Jawahar Lal Nehru Marg
NEW DELHI - 110 002

Sir,

I / We hereby inform that I / We have carried out the construction in Property / Khasra No. _____ situated in Village _____ in accordance with the Gazette Notification dated 30.10.2012 read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014 and relevant provisions of Master Plan- 2021 / Building Bye-Laws-1983 and other applicable regulations.

I / We submit herewith the following plans and specifications duly signed by me / us (name in Block Letters), the Licensed Architect / Engineer / Plumber, who have prepared the plans, designs etc. and a copy of other statement / documents (as applicable).

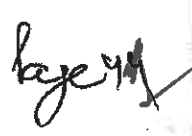
The ground coverage and FAR of the existing construction in the Farm House is _____ sq.mts and number of dwelling units is _____. Accordingly, an amount of Rs. _____ on account of compounding fee (including 10% as Additional Charges being unsanctioned Farm House - wherever applicable) has been worked out. The following documents are enclosed:

1. Four sets of building plan (1-cloth mounted) of existing construction of Farm House, duly signed by the owner and registered Architect. The colour notation to be followed for the plans shall be as under:

(a) Construction carried out with prior approval	No colour
(b) Portion proposed to be got regularized	Red
2. Copy of Sanctioned Building Plan / Sanctioned Letter and / or Completion Certificate of the Farm House under reference (in case of sanctioned Farm House) alongwith copy of ownership documents;
3. Proof of ownership documents in the shape of Khasra Girdawari / Khatauni, / Aks-shijra duly authenticated by the Revenue Department /Land Department of GNCTD and / or Sale-Deed (in any case of unsanctioned Farm House);
4. The photograph of the owner, Architect and Structural Engineer, duly pasted, alongwith proper ID (like PAN Card, copy of Passport etc) and address proof duly notarized or attested by the gazette officer as is recognized in other Government Departments like Income Tax, Passport Office, Transport Department, Revenue Department etc.



Architect/Engineer/Plumber
South / North Delhi Municipal Corporation
Jawahar Lal Nehru Marg, New Delhi



5. Certificate of supervision by Architect and Engineer (Annexure-B) alongwith a copy of their valid registration;
6. Certificate of supervision by Plumber/Engineer.
7. Certificate by owner (s), Architect and Structural Engineer for safety from natural hazard as per the proforma prescribed by the Central Government (Annexure-C);
8. Indemnity Bond for structural stability on a non-judicial stamp paper of Rs.100/- duly attested by the Notary Public;
9. Affidavit / Undertaking from the owner to the effect that there is no court order for eviction / vacation of premises in favour of Government or DDA or South DMC
10. there is no encroachment on Municipal / Government / public / Revenue land / DDA Ridge Area - (As per Annexure-E);
11. Four sets of photographs of existing Farm House reflecting all sides and elevations, duly signed by the owner and Architect;
12. All requisite NOCs from concerned Departments / Agencies such as Archaeological Survey of India (ASI), Delhi Metro Rail Department (DMRC), Department of Forest (from construction carried out in ridge area point of view), A.D.M. (LA)-(from land acquisition point of view), Revenue Department-Government of NCT of Delhi and other concerned Departments, as applicable;
13. An Affidavit - cum- Undertaking from the applicant to the effect that there is no court order for eviction / vacation of premises in favour of Government or DDA or South DMC - As per Annexure-E;
14. The requisite Affidavits-cum-Undertakings as per Public Notice dated 30.10.2012 issued by the D.D.A. - read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Laws-1983 and other applicable regulations - As per Annexure-E & F.
15. Affidavit -cum- Undertaking to the effect that the Farm House building conforms to the regulations / provisions contained in the Notification dated 30.10.2012 read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Laws-1983 and other applicable regulations, and there is no non-compoundable deviation and there is no construction existing beyond the ambit defined in the said Notification and that construction, which is beyond the ambit of permissible limit as per aforesaid Notifications, has already been demolished at site, and onus on this account shall lie with me / us and Architect only.- As per Annexure-E & F.
16. A statement, jointly signed by the applicant and Architect, showing detailed calculation of working out the compounding / regularization fee etc.


 Executive Engineer
 South Delhi Municipal Corporation
 23, First Floor, Connaught Place, New Delhi

17. Other Certificates / Forms etc, as per Building Bye-Laws-1983 / Master Plan-2021 read with their amendments such as Rain Water Harvesting, Providing Solar Water Heating System etc;

I / We request that the existing construction in the above Farm House may kindly be regularized at the earliest.

Date:

Yours faithfully,

(_____)

Name in Block Letters: _____

Address of the Owner (s) _____



ANNEXURE-B**FOR SUPERVISION**

To

The Commissioner
South Delhi Municipal Corporation
E-1 Wing, 8th Floor-Dr. Shyama Parshad Mukherjee Civic Centre
Jawahar Lal Nehru Marg
NEW DELHI - 110 002

Sir,

I hereby certify that the Farm House existing in P.No. / Khasra
No. _____ situated in Village
_____ has been constructed under my
supervision and I certify that all the materials (type and grade) and
the workmanship of the work has been generally in accordance with
the general specifications submitted alongwith and that the work has
been carried out according to the submitted plans.

Signature of Licensed Architect / Engineer

Name of Licensed Architect / Engineer

Registration No.

Address:


Executive Engineer (Civil)
South Delhi Municipal Corporation
Jawahar Lal Nehru Marg
New Delhi - 110 002

Page 47

ANNEXURE-C**FOR SUPERVISION**

To

The Commissioner
 South Delhi Municipal Corporation
 E-1 Wing, 8th Floor, Dr. Shyama Parshad Mukherjee Civic Centre
 Jawahar Lal Nehru Marg
NEW DELHI - 110 002

Sir,

I hereby certify that the drainage / sanitary and water supply works has been executed by me or under my supervision during construction of the Farm House existing at Khasra No. _____ situated in Village _____ and also certify that all the materials and workmanship of the work so carried out is in accordance with the standard laid down by I.S.I. and the provisions of Building Bye Laws.

Signature of Licensed Plumber / Engineer

Name of Licensed Plumber / Engineer

License No. of licensed Plumber / Engineer

Address:


 Sanjay Kumar Singh
 South Delhi Municipal Corporation
 E-1 Wing, 8th Floor, Dr. Shyama Parshad Mukherjee Civic Centre
 Jawahar Lal Nehru Marg
 NEW DELHI - 110 002

ANNEXURE-D**CERTIFICATE FOR STRUCTURAL SAFETY FROM NATURAL HAZARDS**

To

The Commissioner
 South Delhi Municipal Corporation
 E-1 Wing, 8th Floor, Dr. Shyama Parshad Mukherjee Civic Centre
 Jawahar Lal Nehru Marg
NEW DELHI - 110 002

Certified that the building plans submitted for regularization satisfy the safety requirements as stipulated in Clause 18 of Building Bye-Laws, 1983 and the information given therein is factually correct to the best knowledge and understanding.

It is also certified that the structural design from natural hazards based on soil conditions duly incorporated in the design of the building and these provisions has been adhered to during construction.

Signature of the owner

With date

Name in Block letters

Address

Signature of Architect

With date

Name in Block letters

Address

Signature of the Structural Engineer

With date

Name in Block Letters

Address


 Executive Engineer (HHS) H.O.
 South Delhi Municipal Corporation
 Jawahar Lal Nehru Marg
 New Delhi - 110 002



ANNEXURE-E**AFFIDAVIT-CUM-UNDERTAKING** (owner)

(TO BE SUBMITTED ON NON-JUDICIAL STAMP PAPER OF RS.10/-
DULY ATTESTED BY NOTARY PUBLIC)

Affidavit of Shri / Smt. / Miss _____
s/o / w/o / d/o Sh. _____ aged _____ r/o
_____ situated at _____
do hereby solemnly affirm and declare as under:

1. That I am / We are the owner (s) of land on P.No. / Khasra No.
_____ situated in Village
_____, and there are no other owners
whatsoever in respect thereof;
2. That I / We have engaged Shri _____,
Registration No. _____, registered with
_____ having his office at
_____ as an Architect /
Engineer / Supervisor (as the case may be) for preparing the
drawings / building plans in respect of construction existing in
the aforementioned Farm House building.
3. That I have submitted an application for regularization of
existing Farm House in the above property alongwith requisite
documents as per policy with the South / North Delhi Municipal
Corporation.
4. That the building plan of the aforesaid Farm House was
sanctioned by the erstwhile M.C.D. vide File No.
_____ with an area of _____ (In
case of Sanctioned Farm House) OR there is no Sanctioned


Executive Engineer (P.W.D.)
South Delhi Municipal Corporation



Building Plan of the said Farm House and it is an unapproved Farm House (In case of unapproved Farm House).

5. That the ownership documents submitted are in the shape of Khasra Girdawari, Khatauni and Aks-Shijra from Revenue Department as well as Sale-Deed or any other documents in respect of the Farm House.
6. That the construction in the existing Farm House qualifies the stipulations contained in the Gazette Notification dated 30.10.2012, read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Lass-1983 and other applicable regulations for regularization, and the construction in the said Farm House has been in existence prior to 07.02.2007, for which I / we am / are enclosing the relevant documents reflecting existence of construction on the said date. I / We have already demolished the unauthorized construction which does not fall within the ambit of permissible limit as per Notification dated 30.10.2012.
7. That I / We agree to surrender of land to ensure that minimum 6.00 mtr. ROW is available in front of the Farm House to the South / North Delhi Municipal Corporation.
8. That it is confirmed that the existing Farm House in the above property does not fall under the categories mentioned at S.No.1.1 (II), (III), (IV) of the Notification No.SO 2622 (E) dated 30.10.2012 read with relevant amendment contained in the Notification dated 31.12.2013.
9. That adequate parking provision shall be made within the Farm House itself in case the Farm House is used for any permissible activity under the policy.
10. That I am ready to deposit the compounding / regularization charges as per the charges notified by the Government for


Executive Engineer (R&D),
South Delhi Municipal Corporation,
6th Floor, Connaught Place, New Delhi-110008

Page 48

levy of Conversion Charges, External Development Charges, Betterment Levy, and other charges on account of regularization of existing construction in the said Farm House. I am / shall be liable to deposit any further/ additional charges or difference of any amount liable to be deposited on this account as and when warranted.

11. In case the plot area / size, built- up area, FAR, any other data such as green area, soft parking area, dwelling units, year of construction, ownership information disclosed by me is found incorrect, the South Delhi Municipal Corporation / North Delhi Municipal Corporation shall be at liberty to cancel the regularization, forfeit the deposited charges, and take action against me as per law. In that event, I / We shall be liable to pay the regularization charges as per prevailing rates / policy of the Department afresh.
12. That the land as and when required for developing area infrastructure services / public utility projects shall be surrendered by me / us in the interest of the overall development of the area to the concerned agency / competent authority.
13. That in case of any dispute arising out of regularization of existing construction / ownership / title in the above Farm House, the South / North Delhi Municipal Corporation shall be kept harmless and shall not be made a party to any dispute thereof.
14. That the construction existing in the Farm House building conforms to the regulations / provisions contained in the Notification dated 30.10.2012, read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Laws-1983 and other applicable regulations, all the condition of the said Notification have been adhered to and

[Signature]
 For the Engineer (P&I),
 South Delhi Municipal Corporation
 Date: 10/11/2014

there is no non-compoundable deviation / no construction existing beyond the ambit defined in the said Notification, and onus on this account shall lie with me / us only.

15. That there is no encroachment on Municipal / Government / Public / Revenue Land / DDA Ridge area.
16. That there is no court order for eviction / vacation of premises in favour of Government or DDA or South DMC.
17. That the directions / amendments with regard to regularization of above Farm House issued or notified by the Government of India / competent authority shall be strictly complied with by me / us, as and when warranted.
18. That in case anything contrary to above is found or established at any stage, the South / North Delhi Municipal Corporation shall be at liberty to take action as it may deem fit as per law including revocation / cancellation of regularization plan so accorded including demolition / sealing of the whole or any portion of the Farm House, and I / we shall not claim any compensation, damage or loss on account thereof from the South / North Delhi Municipal Corporation or from any of its officer (s).
19. That the instructions contained in the policy regarding Farm House framed by the South / North Delhi Municipal Corporation have been carefully gone through which are acceptable to me / us and the application is being made accordingly.

DEPONENT

Verification:

I / We, the above named Deponent (s), hereby affirm and verify that I / we have voluntarily made the above Affidavit and its contents are true to the best of my knowledge.

Verified at Delhi on this day of _____



Executive Engineer (M&S) E.O.
South Delhi Municipal Corporation
New Delhi

DEPONENT

Page 13

ANNEXURE-F**AFFIDAVIT-CUM-UNDERTAKING** G(Architect)

(TO BE SUBMITTED ON NON-JUDICIAL STAMP PAPER OF RS. 10/-
DULY ATTESTED BY NOTARY PUBLIC)

Affidavit of Shri / Smt. / Miss
_____ s / o / w/o / d/o
_____ aged _____ r/o
_____ situated at

_____, do hereby solemnly affirm and declare as under:

1. That I am an Architect by profession and duly registered with the _____ vide Registration No. _____.
2. That I have been engaged as an _____ for preparing the building plans of the existing Farm House on P.No. / Khasra No. _____ situated in Village _____, have applied for regularization of construction existing in the said Farm House;
3. That I have prepared the building plans in respect of the aforesaid Farm House in accordance with the Building Bye-Laws-1983.
4. That the building plan of the aforesaid Farm House was sanctioned by the erstwhile M.C.D. vide File No. _____ with an area of _____ (in case of Sanctioned Farm House) OR there is no Sanctioned Building Plan of the said Farm House and it is an unapproved Farm House (in case of unapproved Farm House).
5. That the Existing Building Plan of the Farm House have been prepared after my personal inspection of the building and the plans are in conformity with the construction existing in the said Farm House.

[Signature]
Notary Public, P.O.
[Signature]
[Signature]

6. That the construction existing in the Farm House building conforms to the regulations / provisions contained in the Notification dated 30.10.2012 read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice Issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Lass-1983 and other applicable regulations, and there is no non-compoundable deviation and there is no construction existing beyond the ambit defined in the said Notification, and onus on this account shall lie with me only. The unauthorized construction which does not fall within the ambit of permissible limit as per Notification dated 30.10.2012 read with its amendments has already been demolished at site.
7. That certain compoundable deviations, within the ambit of Gazette Notification dated 30.10.2012 read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Lass-1983 and other applicable regulations are existing in the Farm House, for which I have calculated the compounding / regularization fee according to the rates notified by the Government, and a statement showing detailed calculation or working out the compounding / regularization fee is enclosed herewith as part of this Affidavit.
8. That the construction in the existing Farm House qualifies the stipulations contained in the Gazette Notification dated 30.10.2012, read with subsequent Notifications / modifications dated 20.09.2013, 31.12.2013 and 12.02.2014, Public Notice issued by the D.D.A. and other relevant Notifications / provisions of Master Plan- 2021 / Building Bye-Lass-1983 and other applicable regulations, and the construction in the said Farm House has been in existence prior to 07.02.2007, for

[Signature]
 I, *[Name]*, do hereby declare that the above
 facts are true and correct to the best of my knowledge and belief.

[Signature]

which I / we am / are enclosing the relevant documents reflecting existence of construction on the said date.

9. That there is no encroachment on Municipal / Government / Public / Revenue Land / DDA Ridge area / regional park etc.

10. That the ownership documents checked & verified in the shape of Khasra Girdawari, Khatauni and Aks-Shijra from Revenue Department as well as Sale-Deed or any other documents in respect of the Farm House.

11. That in case anything contrary to above is found or established at any stage, the South / North Delhi Municipal Corporation shall be at liberty to take action as it may deem fit as per law including debarring me from practicing in all the Corporations, and I / we shall not claim any compensation, damage or loss on account thereof from the South / North Delhi Municipal Corporation or from any of its officer(s).

12. That the instructions contained in the policy regarding Farm House framed by the South / North Delhi Municipal Corporation have been carefully gone through which are acceptable to me / us and the application is being made accordingly.

DEPONENT

Verification:

I / We, the above named Deponent (s), hereby affirm and verify that I / we have voluntarily made the above Affidavit and its contents are true to the best of my knowledge.

Verified at Delhi on this day of _____.



DEPONENT

Executive Engineer, M.C.C.
Central Board of Secondary Education
New Delhi, India



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 294]

No. 294]

नई दिल्ली, बृहस्पतिवार, फरवरी 6, 2014/माघ 17, 1935

NEW DELHI, THURSDAY, FEBRUARY 6, 2014/MAGHA 17, 1935

दिल्ली विकास प्राधिकरण
अधिसूचना

नई दिल्ली, 6 फरवरी, 2014

विषय:- दिल्ली में फार्म हाउसों के नियमितीकरण हेतु विनियम
(दिल्ली विकास अधिनियम, 1957 की धारा 57
के अंतर्गत)

का.आ. 356(अ).— का.आ. 03(अ) दिनांक 31-12-2013
द्वारा अधिसूचित संशोधन वापस लिए जाते हैं।

2. दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा
57 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिल्ली विकास
प्राधिकरण केन्द्र सरकार के पूर्व अनुमोदन से दिल्ली में फार्म हाउसों,
जिन्हें अधिसूचना कानूनी आदेश संख्या 2622(अ) दिनांक
30-10-2012 द्वारा अधिसूचित किया गया था, के नियमन हेतु विनियमों
में निम्नलिखित संशोधन करता है।

संशोधन

खण्ड 1.1 (i) एवं (ii) निम्न प्रकार संशोधित किए गए हैं :-

(i) दिनांक 7-2-2007 तक क्षेत्रीय पार्कों में निजी स्वामित्व
वाली भूमि पर बनाए गए फार्म हाउसों से अलग अधिसूचित वन
अथवा क्षेत्रीय पार्क क्षेत्र में आने वाले फार्म हाउस इस संबंध में
माननीय उच्चतम न्यायालय के आदेशों की शर्त के अधीन।

(ii) क्षेत्रीय विकास योजनाओं में अनुमोदित एवं अधिसूचित
आधारिक संरचना के मार्गाधिकार के क्षेत्र में जैसे विद्यमान/प्रस्तावित
रेलवे लाइन/मुख्य योजना सड़कों, प्रमुख बड़ी जलापूर्ति एवं सीवेज
लाइनों, उच्च वोल्टता (एच टी) लाइनों (यदि विद्युत अधिनियम के
प्रावधानों के अनुरूप नहीं हैं), परिवहन एवं माल-भाड़ा कॉरिडोर
और अन्य आवश्यक आधारिक-संरचना।

[फा.सं. एफ. 3(103)96-एम.पी.]

डी. सरकार, आयुक्त एवं सचिव

521 GI/2014

DELHI DEVELOPMENT AUTHORITY
NOTIFICATION

New Delhi, the 6th February, 2014

Sub: Regulations for Regularization of Farm Houses
in Delhi

(Under Section 57 of DD Act, 1957)

S.O. 356(E).—The amendments notified vide S.O.
03 (E) dated 31.12.2013 stands withdrawn.

2. In exercise of powers conferred by Section 57 of
Delhi Development Act, 1957 (61 of 1957), the Delhi
Development Authority, with the prior approval of the
Central Government, hereby makes the following
amendments in Regulations for Regularization of Farm
Houses in Delhi which were notified vide Notification S.O.
No. 2622 (E) dated 30.10.2012.

Amendments

Clause 1.1 (i) & (ii) is amended as follows:-

(i) Farm houses falling in the notified forest or in the
Regional Park area other than farm houses built on privately
owned land in Regional Park up to 7.2.2007 subject to orders
of the Supreme Court of India in this regard.

(ii) In area of right of way of infrastructure approved
and notified in the Zonal Development Plans such as
existing/proposed railway line/Master Plan Roads, major
trunk water supply and sewage lines, HT lines (If not
conforming to provisions of Electricity Act), transport and
freight corridor and other essential infrastructure.

[F. No. F. 3(103)96-MP]

D. SARKAR, Commissioner-cum-Secy.

54



SOUTH DELHI MUNICIPAL CORPORATION

TOWN PLANNING DEPARTMENT
21st FLOOR, DR. SHYAMA PARSHAD MUKHERJEE CIVIC CENTRE
JAWAHAR LAL NEHRU MARG, NEW DELHI - 110 002
PUBLIC NOTICE

The D.D.A. vide Notification No. F-3/103/DCMP dated 30.12.2012 - to be read with its subsequent notified amendments - notified regulations for regularization of existing Farm Houses that had come up prior to 07.02.2007 subject to conditions laid down in the regulations.

As per Public Notice issued by the D.D.A. on 24.06.2013, any person intending to avail the policy regarding Farm Houses in Green Belt and Low Density Residential Area notified vide S.O. 1189 (E) dated 10.05.2013 policy must comply with the requirements of the policy regarding regularization of existing Farm Houses notified by D.D.A. vide S.O. No. 2622 (E) dated 30.10.2012. Charges for regularization of Farm Houses for regularization in pursuance of Clause (ii) of Para 1.2 of other conditions of Notification dated 30.10.2012 have been notified by D.D.A. on 20.09.2013.

As the last date for getting the existing Farm Houses is approaching near, the owners of such Farm Houses are hereby informed that they must come forward for regularization of their existing Farm Houses. The applications can be submitted to:

South Delhi Municipal Corporation
Suptg. Engineer (Bldg)HQ
9th Floor, Civic Centre, Jawahar Lal
Nehru Marg, New Delhi
Tel: 2322 5628

North Delhi Municipal Corporation
Suptg. Engineer (Bldg)HQ
10th Floor, Civic Centre, Jawahar Lal
Nehru Marg, New Delhi
Tel: 2322 5628

The policy framed by the Department containing all relevant details on the issue vide Circular No. DY159/SE(B)HQ-SOMC/2014 dated 28.02.2014 can be viewed by the general public on the website www.mcdonline.gov.in.

As per Para 1.2 (vii) of the Notification dated 30.10.2012 - to be read with Notification dated 12.02.2014 - this one-time amnesty can be availed by the owner by applying within 360 days of the notification of rates and payment of the prescribed charges for such regularization i.e. from 20.09.2013.

Those Farm Houses, which are eligible for regularization but are not got regularized by their owners on or before the aforesaid last date, shall be treated as unauthorized and liable for punitive action including demolition/sealing as per DMG Act-1957.

Sd/-

Chief Town Planner

RO No. 60/DPI/South/14-15

South & North Delhi Municipal Corporation

28/2/14

55

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

No: TP/G/SDMC/2014/4150

Dated- 04.03.2014

CIRCULAR

Sub:- Policy on approval of Layout / Building Plan of Low Density Residential Plots.

Vide notification No. K-12016/3/2008-DD-I dated 10.05.2013 Low Density Residential plot (earlier Farm House) has been included as a use premise in MPD-2021. As per Para 3.2 of Master Plan land pockets of minimum 0.4 Ha (4000 sqm) may be developed in areas separately notified as Low Density Residential Areas. As per Notification No. K-12016/3/2008-DD-I dated 18.6.2013, 23 villages have been declared as Low Density Residential area in Urban Extension and 47 villages have been notified in Green Belt, where the Low Density Residential plots have been permitted.

As per the note given in notification of 18.06.2013 it is further clarified-

- i. In case if Metro Corridor is passing through villages in LDRA, development along Metro Corridor and Metro influence zone shall also be allowed in LDRA villages as per TOD Policy.
- ii. Low Density Residential Area in 5 villages namely; Sayurpur, Satbari, Chattapur, Khanpur & Devli shall be subject to relevant stipulations imposed by the Authority arising from Supreme Court orders.
- iii. Villages Sayurpur, Satbari, Devli, Bhatti, Fatehpur Beri, Asola, Mehrauli, Ghitorni & Rangpuri where low density residential development may be allowed in the areas other than those falling under Regional Park.
- iv. Any approved layout/scheme falling in the above villages shall be deemed to have been approved under Clause 3(4) of Development Code of MPD-2021.
- v. The term "Village" refers to "Revenue Village Boundary."

As per DDA public notice dated 24.09.13 any person intending to avail of the policy regarding Farm Houses in Green Belt and Low Density Residential Area notified vide S.O. 1999 (E) dated 10.05.13 policy must comply with the requirements of the policy regarding regularization of existing Farm Houses notified by DDA vide S.O. No. 2622 (F) dated 30.10.12 if required. Any person not covered under the policy dated 30.10.12 shall directly avail of the provisions contained in the 10th May, 2013 policy as mentioned above.

Bye 56

2. Definition

Existing Farm Houses in urban extension regularized as per Policy and new Low Density Residential plots to be permitted in the Green Belt and in Low Density Residential Area in the Urban Extension.

3. Use activities permitted

Low Density Residential/ Housing Plots, Service Personnel Residence, Watch and Ward residence subject to further uses as per Para 4.4.3.C. of MPD-2021.

4. Development Control Norms

	Minimum plot area	- 0.4 Hectare *
	Max. FAR	- 20 (without any charges) - Above 20 -upto 30 (with additional charges as notified by the competent authority) - For plots more than 1 acre, the portions remaining(if any) after plot sub division will get the benefit of FAR only on prorata basis
	Max height	- 12 mt.
	Min. width of continuous road in front	- 6 mt. **
	Min. green area	- 50%
	No. of main dwelling units permitted.	- Two dwelling units on LDRA plot of one acre (0.40 ha) may be permitted with FAR of 20 and for 10 additional FAR i.e. from 20 to 30, one additional dwelling unit is allowed subject to payment of requisite charges as approved and notified by the Govt.of India. - EWS units of 60 sqm. per acre in addition to permitted FAR.

* Relaxation in the minimum size of plot shall be allowed to the extent of land which Farm owners have surrendered for road widening/public facility to MCD/Local authority causing land holding less than 1 acre.

Page 57

*** "In certain cases where access to Farm Houses/Country Homes is only by private road or exceptionally restricted by the dead end road, the Road width will be governed as per the sanctioned layout plan. For the purpose of sub-division of land which is minimum 2 acre and above, an internal road of minimum 6 m may be planned as a feeder to the sub divided plots (of minimum 1 acre each). Such plots will get benefit of FAR and Ground Coverage on proportionate land surrendered for planning of such roads. Necessary provision shall be made by the plot owner for parking of emergency vehicles like Police, Ambulance, Fire tender etc.*

Owner is required to submit an undertaking along with proposal and plans for sanction of Country Home to Local Authority about his willingness to surrender land for road widening. Reference of the undertaking shall be recorded on plan by Local Authority while releasing the plan."

Other Controls

- i. Where the property abuts urban road the dwelling house bldg. should be setback from the centre line of that road by 30 m. Where the property abuts village road, the bldg. setback from the centre line of that road should be 15 m in the front side and 5 m on three sides.*
- ii. For dwelling unit on National Highway, the prescribed norms of NHAI will be applicable.*
- iii. For infrastructure roads etc. land holders will be required to cede land to enable the building up of infrastructure after Public Notice and hearing by the Authority.*
- iv. Every Part of the building including the basement used for normal habitation will be counted in FAR. Basement used for recreational purposes, home office, storage, parking, services and utilities installation will not be counted in FAR.*
- v. Pool/pond/water bodies are permitted and excluded from FAR and setback norms*
- vi. The watch and ward guard unit will be permitted adjacent to boundary or entrance gate as per provision for Building Byelaws and it is to be excluded from the FAR and setback norms.*
- vii. For plots 0.4 to 2 hectare the use activities such as Fitness/wellness Centers, Naturopathy Clinics may be allowed subject to the condition that minimum 50% of plot area be left for soft parking and landscaping. For activities permitted, provision for parking must be ensured within the plot.*

- viii. *Apart from use/activities permitted in (vii) above, for plots more than 2.0 ha (5 acres) located on roads of minimum width of 18 m, use/activities such as recreational/club may be allowed subject to the conditions that minimum 50% of plot area be left for soft parking, maximum 25% plot area for landscaping and maximum 25% of the plot area for functions/building purposes.*
- ix. *No Low density residential premises would be built on lands notified for acquisition, the legality of which has been upheld by the Hon'ble Supreme Court except if it falls within the boundary of an unauthorized colony listed for regularization as per Union Government's decision of 8th February, 2007 in accordance with the regulations No. S.O. 683(E) dated 24.03.2008 pertaining to regulation of Unauthorized Colonies or unless the acquisition is denotified.*
- x. *Rain water harvesting and waste water recharging shall be mandatory with provision for storage for surface run-off water to improve the depleting ground water levels.*

5. Approval of layout plans.

In the matter of modalities for ensuring the proper planning inputs, preparation of layout plan and the provisions of facilities Ministry of LD, Govt. of India vide letter no. K-12016/3/2008/DD-I dated 28.02.2014 has conveyed the following:-

"If an applicant seeks approval on a plot with size of 2 acres (8096sqm.) and below or where no sub-division is involved and such plot abuts to an existing street (as per definition of "street" given in DMC Act 1957 as amended from time to time) with minimum width of 6mtr., such plans be sanctioned without insisting an layout plan at the time of sanction whereas such plot shall be incorporated in the layout plan subsequently to be prepared for the Low Density Residential Area/ Plot. In other cases, where plot area is larger than 2 acres and involving sub-division of plot, layout plan shall be necessary before sanction of building plan".

Low Density Residential Plot (LDRP) of 2 acres and below should be recorded in the revenue record on the date of issue of communication vide letter no. K-12016/3/2008/DD-I dated 28.02.2014.

6. Other Requirements:-

- i). Necessary provisions shall be made by the plot owner in the layout plan for parking of emergency vehicle like Police, Ambulance, Fire tender etc. and for common services like Electricity Sub-Station, Services by Sewerage and water lines etc.
- ii). Clearance from Delhi Fire Services for the proposed layout plan.

7. How to apply for Layout Plans

To comply with the Section 312-313 of DMC Act, the owner/owners shall make application for approval of layout plan with the Town Planning Deptt. carving out a proper street network.

The following documents shall be required for any application of layout plan.

- i. The layout plan/site plan of the land proposed for development of Low density Residential plots (six sets).
- ii. Proof of ownership. (Ownership should be verified by revenue authorities)
- iii. No Objection Certificate from the Revenue Authorities to be issued by concerned ADM.
- iv. Layout fees as per Building Bye-laws @ Rs.10,000/- per acre.
- v. Filled up Performa 'A' in triplicate as annexed.
- vi. Undertaking of owner's willingness to surrender land for road widening. Reference of undertaking shall be recorded on plan by local authority while releasing the plan.
- vii. Undertaking of the owner to cede land for building of infrastructure as and when required.
- viii. Undertaking by the owner for payment of requisite charges.

In the Town Planning Deptt. an officer of the rank of Sr. Town Planner will be designated to address of all queries related to LDRA and to render necessary advise.

8. Sanction of Building Plan

The application for building plan shall be made with the Building Deptt. simultaneously with application if required in view of Para 'V' for the approval of the layout plan. Town Planning Deptt. shall refer the approved layout plan to Building Deptt.

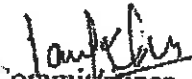
As per DDA notification of 24.09.2013, the modifications for operationalisation of LDRA Policy are as under.

Application for approval of plans for Low Density Residential Plots (LDRA) may be submitted to the local authority along with four sets of the following:-

- i. Land ownership documents duly signed by the owner and verified by the Revenue Department/Land Department of Government of NCT of Delhi by an officer not below the rank of Sub Divisional Magistrate (SDM);
- ii. Location plan of the area;
- iii. Copy of approved layout plan, wherever applicable.
- iv. Location plan of Google Map;
- v. Undertaking/affidavit from the applicant agreeing to surrender of land for road widening to the Authority;
- vi. Undertaking by the owner for payment of EDC and other betterment charges as approved by the Government and as and when demanded;
- vii. For infrastructure road etc. land holders will be required to cede land to enable the building up of infrastructure after Public Notice and hearing by the Authority; and
- viii. For Building plans with all the forms, Annexure and other documents as specified under the Building Bye Laws.

9. Charges:

The charges in respect of LDRP shall be payable as per the rules notified by Govt. of India / DDA


Addl. Commissioner-II
South DMC

1. All Zonal Deputy Commissioners -North & South DMCs
South DMC
2. All Zonal Superintending Engineers -North & South DMCs South zone
3. All Superintending Engineers (Bldg.)HQ /Zones

Copy for information to:-

1. Secy to Commissioner -North & South DMCs
2. All Additional Commissioners -North & South DMCs
3. Engineer-in-Chief -North & South DMCs
4. All Chief Engineers -North & South DMCs
5. Chief Town Planner -North & South DMCs
6. Chief Architect, South DMC-North & South DMCs
7. Council of Architecture

Copy for kind information to:-

- a). Hon'ble Mayor -North & South DMC
- b). Dy. Mayor -North & South DMCs
- c). Chairman, Standing Committee -North & South DMCs
- d). Dy. Chairman, Standing Committee -North & South DMCs
- e). Leader of the House -North & South DMCs
- f). Leader of the Opposition -North & South DMCs



SOUTH DELHI MUNICIPAL CORPORATION

Public Notice

Attention !!! Farm House Owners

The D.D.A. vide Notification No. R3/10392/MP dated 30.12.2012 -- to be read with its subsequent notified amendments -- notified regulations for regularization of existing Farm Houses that had come up prior to 07.02.2007 subject to conditions laid down in the regulations.

As per Public Notice issued by the D.D.A. on 24.05.2012, the person intending to avail the policy regarding Farm Houses in Green Belt and Low Density Residential Area notified vide S.O. 1159 (E) dated 10.05.2012 policy must comply with the requirements of the policy regarding regularization of existing Farm Houses notified by D.D.A. vide S.O. No. 2152 (E) dated 30.10.2012. Charges for regularization of Farm Houses for regularization in pursuance of Clause (ii) of Para 1.2 of other conditions of Notification dated 30.10.2012 have been notified by D.D.A. on 20.09.2013. § 4.15

As the last date for getting the existing Farm Houses is approaching near, the owners of such Farm Houses are hereby informed that they must come forward for regularization of their existing Farm Houses.

The applications can be submitted to:

South Delhi Municipal Corporation
Supt. Engineer (Bdg. HG)
2nd Floor, Civic Centre,
Jawahar Lal Nehru Marg, New Delhi
Telephone No. - 2322 5628

South Delhi Municipal Corporation
Supt. Engineer (Bdg. HG)
2nd Floor, Civic Centre,
Jawahar Lal Nehru Marg, New Delhi
Telephone No. - 2322 5628

The policy framed by the Department containing all relevant details on this issue vide Circular No. D/159/SE(MHC/SDMG/2014 dated 28.02.2014 can be viewed by the general public on the website www.mcdonline.gov.in.

As per Para 1.2 (iii) of the Notification dated 30.10.2012 -- to be read with Notification dated 12.02.2014 -- this one-time amnesty can be availed by the owner by applying within 360 days of the notification of rates and payment of the prescribed charges for such regularization i.e. from 30.09.2013.

Those Farm Houses, which are eligible for regularization but are not got regularized by their owners on or before the aforesaid last date, shall be treated as unauthorized and liable for punitive action including demolition / sealing as per DMC Act-1957.

24/4

Chief Town Planner
Town Planning Department (SDMG & NDMD)
2nd Floor, Dr. Shyama Prasad
Mukherjee Civic Centre, JLN Marg,
New Delhi - 110 002

PD No. 12/02/2014-15

62



Don't Gl-1

I/Name m/s ~~INDIA (PVT) LTD~~ INDIA (PVT) LTD
I/Address 15/12/14

L'Address

सं./Contact No.

इशय/Purpose

low mentioned amount received, will be credited to the concerned accounts

नशीब/Head of A/c

Sl. No.	Particulars	Amount
673981	W15-0218 Regulation	4714000-
3/11/17	W15 0218 Com. Chges	7303000-
673998	85-2754 Cess chg &	89000-
7/11/17		1912400200

1. (शब्दों में) Account in words

Payment Mode: ☒ Cash/ ☐ Cheque/ ☐ DD No. _____

3/11/09

सुगन्धन साबुन होने की स्थिति में।

~~aque~~ subject to realisation/authorisation

(T.H.) 5-10-11 24 1000 books 100x 3-17-01-2014

Signature of
Personnel Issuing Receipt
with Name & Designation

15/12/14



Form CI-1

Name De Veltboom RECEIPT
Address 1711 No. CE 15/12/17

Address

17/Contact No

उद्देश्य/Purpose

low mentioned amount received, will be credited to the concerned accounts

अधीक्षक/Head of A/c

Sl. No.	Particulars	Rs./Amount
1	V/15-0218. Regular contribution	500
		1
		500

Amount (in words)

प्रभु/जी.डी.नं./Cash/Cheque/DD No. .

Journal of Management Education 36(7) 809–824

भुगतान स्वीकृत होने की स्थिति में।

one subject to realisation/authorisation.

T.I./Joh 1124-1900 books 100x3- 17-01-2014

Signature of
Personnel Issuing Receipt
with Name & Designation

13/1/9

63



DELHI DEVELOPMENT AUTHORITY

(MASTER PLAN SECTION)

PUBLIC NOTICE

The following modifications which the Delhi Development Authority/Central Government propose to make to the Master Plan for Delhi-2021, under Section-11(A) of Delhi Development Act, 1957, are hereby published for public information. Any person having any objections/suggestions with respect to the proposed modifications may send the objections/suggestions in writing to the Commissioner-cum-Secretary, Delhi Development Authority, B Block, Vikas Sadan, New Delhi-110023, within a period of thirty days from the date of issue of this Notice. The person making the objections or suggestions should also give his/her name, address and telephone/contact number(s) which should be readable.

Modifications:

MPD 2021

Part/Cause No Existing Provisions			Proposed Amendments/Modifications		
CHAPTER 4.0 - SHELTER					
Table 4.3-Uses / Use Activities Permitted in use premises			Table 4.3-Uses / Use Activities Permitted in use premises		
Use Premises	Definition	Use/Use Activities Permitted	Use Premises	Definition	Use/Use Activities Permitted
Low Density Residential Plot	Existing Farm Houses in urban extension regularized as per Policy and new Low Density Residential Plots to be permitted in the green belt and Low Density Residential Area in Urban Extension	Low Density Residential / Housing Plots, service Personnel Residence, school and Ward residence, subject to further use as per Para 4.4.3.C	Low Density Residential Plot	Existing Farm Houses in urban extension (both within and outside LDRA villages which had come up prior to 07-08-2000) regularized as per Policy and new Low Density Residential Plots in the green belt and Low Density Residential Area in Urban Extension	Low Density Residential / Housing Plots, service Personnel Residence, school and Ward residence, subject to further use as per Para 4.4.3.C

Para 4.4.3 (G)

Low Density Residential Area			Low Density Residential Plot		
(a) Max. FAR	20 (with out any charges) above 20- upto 30 with additional charges to be notified by the competent authority. For plots more than 1 acre, the portions remaining (if any) after plot subdivision will get the benefit of FAR only on prorata basis.		(a) Max. FAR	20 (without any charges) above 20- upto 30 with additional charges to be notified by the competent authority. For plots more than 1 acre, the portions remaining (if any) after plot subdivision will get the benefit of FAR only on prorata basis. The maximum limit for FAR on any plot larger than 1.0 Ha (2.5 acres) to be as admissible on the plot size of 1.0 ha, i.e. max 3000 sq.m.	
(b) Min width of continuous road in front	5 meter		(b) Min width of continuous road in front	5 meter (refer other conditions at (d))	
(c) No. of main dwelling units permitted	Two Dwelling Units on LDRA plot of one acre (0.40 ha.) may be permitted with FAR of 20 and for additional 10 FAR i.e. from 20 to 30 one additional Dwelling Unit is allowed subject to payment of requisite charges as approved and notified by the Government of India. EWS units of 60 sq.mt per acre in addition to permitted FAR.		(c) No. of main dwelling units permitted	Two Dwelling Units on LDRA plot of one acre (0.40 ha.) may be permitted with FAR of 20 and for additional 10 FAR i.e. from 20 to 30 one additional Dwelling Unit is allowed subject to payment of requisite charges as approved and notified by the Government of India. Dwelling Units as separate buildings on the plot are allowed without any boundary wall between the separate buildings and without any subdivision of plot. EWS / Community Service Personnel unit of 60 sq.mt per main dwelling unit in addition to permitted FAR.	
(vi) No Provision			(vi) Min Ground coverage (excluding EWS / Community Service Personnel)	30 %	
Other Controls: If Where the property abuts urban road, the dwelling house building should be set back from the centre line of this road by 30m. Where the property abuts village road, the building setback from the centre line of this road should be 12m on the front side and 6 meters on the other side.			Other Controls: 3) Minimum setback requirements shall be 10 m on front side abutting the approach road and 5 m on other three sides.		

(viii) A part from use / activities permitted in (vi) above, for plots more than 2.0 ha (5 acres) located on roads of minimum width of 18 m, use / activities such as recreational / club may be allowed subject to the conditions that minimum 50% of plot area be left for soft parking, maximum 25% plot area for landscaping and maximum 25% of the plot area for functions / building purposes.

(viii) Apart from use / activities permitted in (vi) above, for plots more than 2.0 ha (5 acres) which have direct access from minimum width of 18 mts wide main road, use / activities such as recreational / club / commercial social functions such as marriages may be allowed subject to the following conditions / restrictions as under:

(a) Low Density Residential Plot should have minimum 40% of the plot area for parking space inside the boundary wall. (b) The parking area within the Low Density Residential Plot should be properly demarcated. (c) The Low Density Residential Plot shall not be located at a road which ends in dead-end. (d) There will be separate entry and exit gates for such functions, with minimum 15 mts. distance between them. (e) The guidelines of Ministry of Urban Development, Government of NCT of Delhi, Delhi Police, Delhi Fire Service (DFS), concerned local bodies and Delhi Disaster Management Authority (DDMA) for safety etc. shall be ensured by the Owner.

Provision

(ix) In certain cases where access to farm houses / low density residential plot is only by private road, the entry and exit requirements shall be governed as per the road geometry illustrations to be prescribed by DDA separately from time to time, in consultation with Delhi Fire Services. For the purpose of subdivision of land which is minimum 2 acres and above, an internal road of minimum width 6m may be planned as a feeder to the subdivided plots (of minimum 1 acre each). Such plots will get benefit of FAR and Ground Coverage on proportionate land surrendered for planning of such roads. Necessary provision shall be made by the plot owner for parking of emergency vehicles like Police, Ambulance, Fire tender etc. While sanctioning the plans, concerned local bodies shall ensure that the owner surrenders the land required for making provisions with respect to smooth circulation / movement / negotiation of emergency vehicles at intersections, corners, Kinis and Entrance as per the road geometry illustrations to be prescribed by DDA separately from time to time, in consultation with Delhi Fire Services. Owner is required to surrender land to conform to road geometry illustrations to be prescribed by DDA separately from time to time, in consultation with Delhi Fire Services along with submission of plans for sanction of low density residential plot to concerned local body.

Para Clause No Existing Provisions

In certain cases where access to Farm Houses/Country Homes is only by private road or exceptionally restricted by the Dead-end Road, the Road width will be governed as per the sanctioned layout plan. For the purpose of subdivision of land which is minimum 2 acres and above, an internal road of minimum width 6m may be planned as a feeder to the subdivided plots (of minimum 1 acre each). Such plots will get benefit of FAR and Ground coverage on proportionate land surrendered for planning of such roads. Necessary provision shall be made by the plot owner for parking of emergency vehicles like Police, Ambulance, Fire tender etc. Owner is required to submit an undertaking along with proposal and plans for sanction of Country Home to Local Authority about his willingness to surrender land for road widening. Reference of this undertaking shall be recorded on plan by Local Authority while releasing the plan.

Proposed Amendments/Modifications
To be approved as per the City Development Control

2. The text of MPD-2021 indicating the proposed modifications shall be available for inspection at the Office of the Dy. Director, Master Plan Section, 6th Floor, Vikas Nagar, IP Estate, New Delhi-110002, on all working days within the period mentioned above. The text indicating the proposed modification is also available on DDA's website i.e. www.dda.org.in.

File No. F.3/103Y95-MP
Dated: 22.02.2016
New Delhi

(D. Barua)
Commissioner-Cum-Secretary
Delhi Development Authority

Please visit DDA's Website - www.dda.org.in or Dial Toll Free No. 1800-110332

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However, the ombudsman transaction was successful. man did show that the required birth to such order and get back the money. collecting the money from the return such money to the and be sure that it reaches rightful owner.

IN THE COURT OF REVENUE ASSISTANT (VASANT VIHAR)
OLD TAX TERMINAL BUILDING, KAPASHERA, NEW DELHI

No. SDM/RA/VV/26/2016/9818

Dated: 29/07/2016

U/S 81 OF DLR ACT, 1954

In the matter of

GAON SABHA RANGPURI

VS

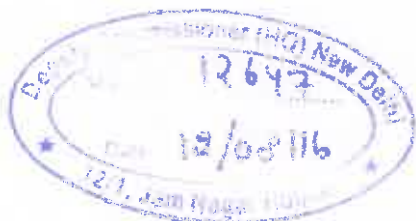
**M/s DCBC BUILDTECH PRIVATE
LIMITED(RESPONDENT)**

ORDER

This order shall dispose off proceedings under Section 81 of Delhi Land Reforms Act, 1954 by way of issue of L.R. 48 Notice dated 26/04/2016 to the Respondents for use of land for non agricultural purposes by carrying out construction on agriculture land in Khasra No.686min(0-1), 688min(3-11), 689min(1-13), 690min(1-10), 691(5-7) of Village Rangpuri as reported by the Halqa Patwari vide report dated 19/04/2016.

The hearings in the said matter were conducted on 25/05/2016 and 01/06/2016. M/s DCBC Buildtech Pvt. Ltd (Respondent) made the following submissions vide a detailed reply dated 19/05/2016.

"That the said notice is devoid of material particulars as it does not contain any reference to alleged misuse. Only allegation is that the land is being made non-agricultural by construction of Kothi (house). Dwelling house is an improvement as defined in Section 3(12) of the DLR act and therefore construction of a dwelling house for the residence of bhumiidar and agricultural labour cannot be treated as a violation of



67

No. SDM/DR/10/2016/9816

Dated: 27/07/16

Section 81 DLR Act. A Bhumidhar of the land does not require any prior permission for carrying out improvement as he is entitled to hold the land alongwith improvement by virtue of Section 22 of DLR Act.

That the land ceased to be used for agricultural purposes many years ago. The land is being continuously used as a farm house.

That the land is no longer rural agricultural land as the same falls in Kh.No.'s 686min(0-1), 688min(3-11), 689min(1-13), 690min(1-10), 691(5-7) Village Rangpuri, Delhi. The land is situated in Zone J and is earmarked as Green Belt which is now approved for residential use by virtue of notification for "Low Density Residential Plots" in the MPD 2021 (as amended). The land of Village Rangpuri is included in the Zonal Plans and proposed to be developed as "Low Density Residential Plots" as per Notification for amendment of MPD 2021 by S.O. 119(E) dated 10/05/2013 and S.O.1744(E) dated 18-6-2013. Thus the land having been approved for development of residential area can no longer be subjected to DLR Act. And the MPD 2021 as amended applies to the land in a question which defines and controls the development activities on the land. The new norms in MPD 2021 as amended by the S.O.1199(E) permits dwelling house, servants quarters, watch & ward residence, FAR of 30, Minimum green area of 50%, Pool/water bodies (free of FAR).

That the construction is already measured by the Municipal officers and stand compounded by virtue of letter dated 06-05-2014 issued by the South Delhi Municipal Corporation upon request for regularization made by us in view of the Notification dated 30-10-2013. We have paid the huge sum of Rs.64,26,819/- (Rupees Sixty Four Lakh Twenty Six Thousand Eight



No. - SDM/BA/VV/26/2016/9818

Date: 29/07/16

(Hundred Nineteen Only) as conversion charges for change of use of land vide G8 No.081951 dated 05/05/2014 and Rs.4,51,33,611/- (Addl. FAR Charges) vide G8 No.080951 dated 05/05/2014 (Copy Enclosed). The property is already subjected to property tax and a huge amount of Rs.2,52,247/- was paid as property tax for one year i.e. 2015-16.

That no new construction was being carried out at the time of report dated 26/04/2016 and only renovation work was being carried out. The existence of the farm house is evident from Municipal records. That the construction existing in the land is within the permissible limit as per MPD 2021 (amended by S.O 1 199(E)) which prescribes FAR upto 30 in Low Density Residential Area (LDRA).

That in the present order, firstly the land is not agricultural land as defined in Section 3(13) of the Act and secondly, even if it treated as land, then the provision of Section 81 of DLR Act cannot be initiated on such land as the sanction therefore has been granted by Municipal Authorities ex-post facto by regularization of structures. It is therefore humbly prayed that in the interest of justice, the proceedings under Section 81 of DLR act against us may kindly be dropped.

In order to proceed further, the appropriate Sections/Definitions provided under DLR Act, 1954 are reproduced below:

"Section 1. - Short title, extent and commencement. - (1) This Act may be called the Delhi Land Reforms Act, 1954.

(2) It extends to the whole of the Union territory of Delhi, but shall not apply to-

(a). [the areas which are or may before the first day of November, 1956 be] included in a Municipality or a Notified Area under the provisions of the Punjab Municipal Act, 1911, or a Cantonment under the provisions of the Cantonments Act, 1924.



29-7-16

69

No. - 5000/RA/VV/26/2016/9618

Date: - 29/07/16

(b) [areas] included in any estate owned by the Central Government or any local authority, and

(c) areas held and occupied for public purpose or a work of public utility and declared as such by the Chief Commissioner or acquired under the Land Acquisition Act, 1894, or any other enactment other than this Act, relating to acquisition of land for a public purpose.

(3) It shall come into force at once.

(4) The declaration of the Chief Commissioner under clause (c) of sub-section (2) shall be conclusive evidence that the land is held and occupied for a public purpose or a work of public utility.

Section 3(5) - ['Delhi town' means the areas which immediately before the establishment of the Municipal Corporation of Delhi were included in the limits of Delhi Municipality, Civil Station Notified Areas, West Delhi Municipality and the Fort Notified Area);]

Section 3 (12) - "improvement" means with reference to a holding -

- (i) A dwelling house erected on the holding by the tenure holder for his own occupation or any other constructions erected or set up by him on the holding for purposes connected with agriculture, horticulture or animal husbandry which includes pisciculture and poultry farming;
- (ii) any work which adds materially to the value of the holding and is consistent with the purposes aforesaid, which if not executed on the holding, is either executed directly for its benefit or is, foregoing provisions of this clauses includes -
 - (a) the construction of well, water channels and other works for the supply or distribution of water for the purposes aforesaid;
 - (b) the construction of works for the drainage of land or for the protection of land from floods or from erosion or other damage by water;
 - (c) the reclaiming, clearing, enclosing, leveling or terracing of land;
 - (d) the erection in the immediate vicinity of the holding otherwise than on the village site, of buildings required for the convenient or profitable use or occupation;



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70

Sl. No. SDP/RE/IV/26/2016/9818

Dated: 29/7/16

- (e) the construction of tanks or other works for the storage of water for purposes aforesaid;
- (f) the planting of trees and groves on the holding;
- (g) the renewal or reconstruction of any of the foregoing works or such alternations therein or additions thereto, as are not of the nature of mere repair:

Provided that such water channels, embankments, enclosures, temporary wells, or other works as are made by a tenure-holder in the ordinary course of his requirements for purposes aforesaid, shall not be deemed to be improvement.

Section 3(13) - "land" except in Section 23 and 24, means land held or occupied for purposes connected with agriculture, horticulture or animal husbandry including pisciculture and poultry farming and includes -

- (a) buildings appurtenant thereto,
- (b) village abadis,
- (c) grove-lands,
- (d) lands for village pasture or land covered by water and used for growing singharas and other produce or land in the bed of a river and used for casual or occasional cultivation, but does not include --

land occupied by buildings in belts of areas adjacent to Delhi town and New Delhi town, which the Chief Commissioner may by a notification in the Official Gazette declare as an acquisition thereto;

Section 3(15) - "New Delhi town" means the area included in the limits of the New Delhi Municipality and Delhi Cantonment."

Section 22 - Right of Bhumidhar or Asami to the exclusive possession of land in his holdings -- A Bhumidhar or Asami shall, subject to the provisions of this Act, have the right to the exclusive possession of all land comprised in his respective holdings and to use land for any purpose connected with agriculture, horticulture or animal husbandry which includes pisciculture and poultry farming and to make an improvement.



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NO. 500/22/01/26/2016/9818

Date: 29/07/16

In order to decide the issue whether the Agriculture land continues to be governed by DLR Act, 1954 after the notification issued under DD Act, 1957 and DMC Act, 1957, the ratio of judgment by the Hon'ble High Court Delhi in M/s Sh. Neelpadmaya Consumer Products Pvt. Ltd vs Shri Satyabir CS(OS) No. 78/2007 appears to be squarely applicable in this case. The operative part of this judgment reads as follow:

"A reading of the later part of sub-Section (13) of Section 3 of the Act shows that the land which is the subject matter of the Act would no longer be the subject matter of the Act if there is issued a notification in the Official Gazette that the land which was the subject matter of the Act is an acquisition to the Delhi town and New Delhi town. Delhi town and New Delhi town as the definitions thereof show that the areas which are included in a municipality or a cantonment area or New Delhi Municipal Council area etc are excluded from the scope of the Act. Putting it in another words, areas which would fall under the municipalities i.e urbanized areas or areas to be developed as an urban area were excluded from the purview of the Act.

This also becomes clear from the reading of Section 1 of the Act which excluded the operation of the Act when it came into force to areas which fell within any Municipality or notified area under the Punjab Municipal Act, 1911 or the Cantonments Act, 1924 i.e those areas which were not rural and fell in urbanized area. A conjoint reading of provisions of Sections 1, 3(5), 3(13) and 3(15) of the Act shows that the object of law was that on a notification being issued in the Official Gazette of an area which was falling under the Act thereafter as falling within the Delhi town and New Delhi town on such an action of such lands falling in Delhi town and New Delhi town these lands cease to be the subject matter of 'land' which was the subject matter of the Act on account of the said land being land within



29-07-16

72

No. 50M/2017/25/2017/9618

Date: 29/07/16

the meaning of the definition of the land in Section 3(13) of the Act.

It is also required to be noted that the expression municipality with its cognate and agnate expressions has to be understood as being taken as urban areas because a municipality is for an urban area and it has to be taken as a generic term for urban area in terms of the object of the aforesaid provisions of the Act. Thus if by a notification in an Official Gazette an area ceases to be a rural land as it is urbanized for urban development, then such lands are no longer rural lands falling under Section 3(13) of the Act.

In response to the argument urged on behalf of the defendants, counsel for the plaintiff has argued that it is not necessary that notification which is talked of in the later part of Section 3(13) of the Act has necessarily to be a notification only under Section 507 of the Delhi Municipal Corporation Act, 1957 in as much as even a notification issued by the Central Government under Section 11 of the Delhi Development Act, 1957 declaring an area to be the subject matter of a Master Plan or a Zonal Plan of the Delhi Development Authority, has the effect that such a land with respect to which a Master Plan or a Zonal Plan or an area plan is prepared (and which will entitle thereafter the DDA to treat such area as development area for being developed as per the Master or Zonal Plan etc) shows that by such notification lands no longer will remain the subject matter of the Act in as much as such lands are part of urbanization. Reliance is also placed in this regard upon paras 19 and 24 of the judgment of a learned Single Judge of this Court in the case of Gur Pratap Singh Vs. Union of India 2004 (111) DLT 25, and by which paras, the learned Single Judge has



29-07-16

73

hold that once a particular area is a subject matter of the Notification under the Delhi Development Act by notifying the Master Plan or Zonal Plan then such land becomes urbanized and hence is out of the scope of application of the Act and Section 3(13) of the Act. These paras 19 and 24 read as under:-

"19. This matter can be looked into from another aspect. The notification amending the Master Plan clearly provides that the land in question can be used for the purpose of a motel. Once this option is available and is exercised by owner of the land, the land is no more being used for agricultural purposes. Thus, once the land is elected to be used by the owner for a motel, permission for which has been granted under the amendment to the Master Plan, it no more remains agricultural land under the meaning of Section 3(13) of the Land Reforms Act. For this reason also, there would be no occasion for obtaining any permission. The Delhi Land Reforms Act, 1954 is an enactment for protecting the agricultural use of the land. Once this land itself ceased to be agricultural, there is, really speaking, no question of application of the Land Reforms Act. Needless to say, this is on account of the fact that there is permissible non-agricultural use of a motel in pursuance to the notification of 1995.

XXXXX

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24. Section 53(3) of the DDA Act makes it clear that once a permission for development under this Act has been obtained, the same shall not be deemed to be unlawful by reason of the fact that such permission, approval or sanction is required under any other law for which permission has not been obtained. Thus, in view of the mandate by the DDA and accepted by the MCD, there



29-07-16

79

would be overriding effect of this mandate, even if the Land Reforms Act was to apply."

I agree with the argument which is urged on behalf of the plaintiff that a Notification for urbanization need not only be through a notification under Section 507 of the Delhi Municipal Corporation Act as the later part of Section 3(13) of the Act does not in any way require that there is only one manner of Notification viz only under Section 507 of the Delhi Municipal Corporation Act. This later part of Section 3(13) of the Act does not talk of a notification only under Section 507 of the Delhi Municipal Corporation Act. The requirement of this later part of Section 3(13) of the Act is only that a Notification is issued in the Official Gazette to make the land as part of the Delhi town and New Delhi town. Once a Notification is issued applying a zonal plan issued pursuant to the master plan showing that subject lands are covered under the zonal plan issued by the DDA, in such a situation, it has to be held that the lands cease to be the lands covered under the Act because of issuance of a notification in the Official Gazette results in the lands becoming part of the Delhi town. Additional reasoning on this aspect can be understood from the object and the language found in Section 1 and Sections 3(5) and 3(15) of the Act and which Sections show that once an area falls within a town area and an area ceases to be an agricultural land because it has to be developed as part of the development of the Delhi town or New Delhi town, then such an area no longer remains an agricultural area for being covered under the expression land as defined in Section 3(13) of the Act. With humility, I am in complete agreement with the observations made by the learned Single Judge of this Court in the case of Gurs Pratap Singh (supra) and which arrives at the same conclusion that once the land ceases to be



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75

agricultural, the land ceases to be the subject matter of the Act.

As per the aforesaid discussion, as also the ratio of the learned Single Judge in Gur Pratap Singh (supra), once the land is the subject matter of a Zonal Plan issued under Section 11 of the Delhi Development Act, the land is beyond the purview of the Act.

Also, in my opinion, once a particular area falls within the Zonal Development Plan issued by the DDA under Section 11 of the Delhi Development Act, thereafter calling the same by any description, whether rural or otherwise cannot take away the effect that the said land is very much part of notification issued for development of the area which is the subject matter of the zonal plan and hence the subject matter of issuance of a notification falling in the later part of Section 3(13) of the Act taking such land as outside the operation of the Act.

The operative part of the judgment delivered by the Hon'ble high Court of Delhi in Gur Partap Singh vs Union of India is again reproduced below to arrive at an explicit understanding of the exclusion of agriculture land from the purview of Delhi Land Reforms Act, 1954 once a Notification has been issued under Delhi Development Authority Act, 1957 or Delhi Municipal Corporation Act, 1957

"The matter in question is also not one of mere circulars, but has legislative force under the DD Act. The Master Plan was amended in exercise of the powers under the said Act. Section 53(2) of the said Act makes provisions of the DD Act override provisions of any other law and is in the following terms:

"53. Effect of other laws - (2) Save as otherwise provided in Sub-section (4) of Section 30 or Sub-section (8) of Section 31 or Sub-section (1) of this section, the provisions of this Act

No:- SDM/PA/44/28/2016/9818

Delhi:- 29/07/16

and the rules and regulations made there under shall have effect notwithstanding anything inconsistent therewith contained in any other law.

(3) Notwithstanding anything contained in any such other law -

(a) when permission for development in respect of any land has been obtained under this act such development shall not be deemed to be unlawfully undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development has not been obtained;

(b) when permission for such development has not been obtained under this act, such development shall not be deemed to be lawfully undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development has been obtained."

Section 53(3) of the DD Act makes it clear that once a permission for development under this Act has been obtained, the same shall not be deemed to be unlawful by reason of the fact that such permission, approval or sanction is required under any other law for which permission has not been obtained. Thus, in view of the mandate by the DDA and accepted by the MCD, there would be overriding effect of this mandate, even if the Land Reforms act was to apply.

The Hon'ble High Court of Delhi in Ram Lubhaya Kapoor vs J.R. Chawla has observed that:

"Needless to say that the DMC Act is a later enactment. It creates a totally different jurisdiction and operates in entirely different sphere. As observed earlier, the object and the purpose of the Delhi Land Reforms Act, 1954 was to do away with all intermediaries and abolish ownership rights in the



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Dated: 29/2/18

agricultural land by creating new rights for the purposes of the Act. It has brought into existence new class of tenure holders called "baumidars" and sub-tenure holders called "asamis" and they are required to use the land for agricultural purposes and purposes akin thereto. Various provisions contained in the Act are aimed at ensuring the same. However, the aim and object of the BMC Act is to consolidate and amend the law relating to the municipal government of Delhi. Its purpose is to regulate matters regarding public convenience and civic amenities so as to prevent haphazard construction of buildings and streets and provide efficient lighting system etc. Since BMC Act is a later statute in point of time, its provisions must take precedence over the provisions of the Act in the event of there being any conflict or inconsistency between them. Since both these acts operate in different spheres and create different types of jurisdictions, the question of implied repeal of the Act by the BMC Act as such does not, however, arise. It is settled law that the court leans against implying a repeal and unless two Acts are so plainly repugnant to each other that effect cannot be given to both of them at the same time, a repeal will not be implied. However, if there is an inconsistency which precludes the two Acts standing together, the latest expression of the will of the Parliament must always prevail. I find support in this view of the matter from the following observation of V.S. Deshpande, J. in Municipal Corporation of Delhi v. Hira Raj, 2nd (1971) 1 Delhi 250 (253) : "If at all, there is any inconsistency between the provisions of the Corporation Act and the provisions of Delhi Land Reforms Act and the Panchayat Raj Act, then it is the provisions of the Corporation Act which will prevail to the extent of the repugnancy for two reasons, namely : (i) The Corporation Act of 1957 being subsequent to the Land Reforms Act and the Panchayat Raj Act prevails over the previous



29-07-16

28

enactments to the extent of repugnancy ; and (ii) Section 22 of the Government of Part C States Act, 1951 so provides."

The Farm House of M/s DCBC Buildtech Pvt Ltd (Respondent) situated in Khasra No.686(0-1), 688(3-11), 689(1-13), 690(1-10), 691(5-7) situated in the Revenue Estate of Village Malikpur Kohi at Rangpuri, New Delhi has been regularized by the South Delhi Municipal Corporation (SDMC) vide File No.03/Regl./13/HQ/SDMC/2014/D/04/AE VII dated 06-05-2014 which has been approved by the Competent Authority after payment of a total amount of Rs.5,19,00,120/- (Five Crore Nineteen Lakhs One Hundred Twenty Only) on account of Conversion Charges @Rs.64,26,819/- , Cess Charges @ Rs.3,39,690/- and Additional FAR Charges @ Rs.4,51,33,611/-. The above Farm House has been regularized in pursuance of the Notification No.S.O.2622(E) dated 30-10-2012 issued by the Delhi Development Authority regarding "Regulations for Regularization of Farm Houses in Delhi (under Section 57 of DD Act, 1957 and subsequent notifications S.O.1199(E) dated ^{pg 10, 11, 12} 10-05-2013, S.O. 1744(E) dated ^{pg 13, 14, 15, 16, 17} 18-06-2013, S.O.2822(E) dated ^{pg 17, 20, 21} 20-09-2013, S.O. 381(E) dated ^{pg 22, 23} 12-02-2014 and S.O. 2973 (E) dated 26-11-2014. Further, as already cited above, Section 53 of DD Act, 1957 categorically asserts "The Provisions of this Act and the rules and regulation made there under shall have effect notwithstanding anything inconsistent therewith contained in any other law. Notwithstanding anything contained in any such other law - (a) when permission for development in respect of any land has been obtained under this Act such development shall not be deemed to be unlawfully undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development has not been obtained".

Further Section 53A of DD Act specifies as thus:

53A. Restriction on power of a local authority to make rules. -

- (1) Notwithstanding anything contained in any law for the time being in force, no rule, regulation or bye-law shall be made or amended by a local authority, in respect of matters specified in Sub-Section (2) unless the Authority, upon consideration of such rule, regulation or bye-law, certifies that it does not



[Signature]
29-07-16

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Dated: 29/07/16

- contravene any of the provisions of the Master Plan or the Zonal Development Plan.
- (2) The matters referred to in sub-section (1) are the following, namely: -
- (a) water supply, drainage and sewage disposal;
 - (b) erection and re-erection of buildings, including grant of building permissions, licenses and imposition of restrictions on use and sub-division of buildings;
 - (c) sub-division of land into building sites, roads and lanes, recreational sites and sites for community facilities; and
 - (d) development of land, improvement schemes, and housing and re-housing schemes.

In view of the aforesaid submissions, this Court is of the considered opinion that the construction/renovation being carried out is in accordance with law. Accordingly, the L.R. 48 Notice dated 26-04-2016 is hereby withdrawn and proceedings under Section 81 of DLR Act, 1954 are hereby dropped.

Announced in open Court under my hand and seal of this Court on 29/07/2016.



[Signature]
29-07-16
SDM/REVENUE ASSISTANT
VASANT VIHAR

Copy to:

1. P.S. to Dy. Commissioner (New Delhi).
2. Tehsildar (Vasant Vihar), Palika Bhawan, Sector-13, R.K. Puram, New Delhi.
3. Parties concerned.
4. DIO, New Delhi District, 12/1, Jam Nagar House, New Delhi with the direction to upload this order on the official website of District New Delhi.
5. Guard File.

IN THE COURT OF SH. SUNIL DUTT SHARMA, S.D.M./R.A. (VASANT VIHAR)
7TH FLOOR, PALIKA BHAWAN, SECTOR 13, R.K. PURAM, NEW DELHI

No. 13664

Dated 20-11-16

Case No. 19/RA/2015

U/S 81 of DLR Act, 1954

G.S. RANGPURI

VS

JAGRATI BUILDWELL PVT LTD

ORDER

1. This order shall dispose off proceedings under Section 81 of Delhi Land Reforms Act, 1954 including issue of L.R. 48 Notice dated 19/05/2015 and subsequent Preliminary Decree dated 21/12/2015 for use of agricultural land for non-agricultural purposes by carrying out construction on agricultural land in Khasra No.439(4-16), 447(4-16) Village Rangpuri as reported by Halqa Patwari vide report dated 01/05/2015.
2. Subsequently, an application was filed under Appendix Vi Rule 14 of the Delhi Land Reform Rules read with Order IX Rule 13 of the CPC for setting aside Ex-parte Order/Decree dated 21/12/2015.
3. During the hearing of case on 08-04-2016, the application under Appendix Vi Rule 14 of the Delhi Land Reform Rules was examined alongwith the record available on the file and in the principal of natural justice/public interest, the same was allowed as no proof regarding the service of L.R. 48 Notice/Decree was found available in the case file/record.
4. Further in the hearing of the case on 10/10/2016 written submission were filed by the Counsel for respondent company, a copy of which was furnished to the Panchayat Secretary, BDO (South-West) office and a short date was asked by Panchayat Secretary to file rejoinder and next date was fixed for 21/11/2016.
5. On 21/11/2016, the Court could not be held and an application dated 22/11/2016 was filed by respondent stating that early hearing in the case may be conducted as the respondents were feeling harassed due to prolonging of the instant court case for no apparent reason especially when the document/approval of the respondent company were in order.
6. Accordingly, on 24/11/2016, Sh. V.K. Chaddha, Authorized Representative of respondent company appeared and drew attention to his written submission filed on 20/09/2016 vide diary No 429/CC wherein attention has been drawn to the judgement delivered in the case of Neel Padmaya Consumer Products



20-11-16

81

Pvt. Ltd vs Sh. Satyaveer as well as Gurpratap vs Union of India 2004 (111) DLT 25. It was contended that the suit property/land in Khasra No 439(4-16), 447(4-16) alongwith land in Khasra No. 440(4-16), 437(4-16) and 438(4-16) of Village Rangpuri is outside the purview of DLR Act, 1954 in accordance with the judgement delivered in above two cases. In order to corroborate his contention, the Authorized Representative also drew attention to the copy of regularization plan in respect of the Farm House in Khasra No 439(4-16), 440(4-16), 437(4-16), 438(4-16), 447(4-16) duly signed by Assistant Engineer (Bldg.) HQ on 04/02/2015 alongwith related letter No 237/RegL/B/HQ/SDMC/2014/D/04/AE-1 dated 04/02/2015 and a receipt specifying payment of Rs 1,41,10,500/- on account of conversion/cesse charges paid to MCD, copies of which have also been enclosed in support of the written submission/reply filed by respondent.

7. The submission made by the respondent company vide reply dated 20-09-2016 are summarized below:

- a) That the present case is not maintainable under Section 81 of the Delhi Land Reforms Act, 1954 as the Act does not apply to the lands which are part of Zone G as per MPD 2021 and have a building/structure duly approved by the Municipal Corporation of Delhi. It has been held in the case of Shri Neelapadmaya Consumer Products Pvt Ltd that the DLR act does not apply to the lands situated in the urban extension zones as these areas are part of Master Plan.
- b) That the proceedings under Section 81 cannot be initiated with respect to the land of the respondent in view of the circular issued by the Divisional Commissioner on 2.7.2013 wherein it is provided that the provisions of Section 81 shall not be invoked in respect of building sanctioned by the MCD. In the present case building has been duly sanctioned/approved by the MCD and, therefore, the revenue authorities have no role to play in the matter. The said circular clearly states that the provisions of DLR act, 1954 shall not apply to:
 - (i) *An area which is urbanized by way of notification under Section 507 of DMG Act, 1975 and*
 - (ii) *Buildings in respect of which building plans have been sanctioned by Competent Authority or permission granted under amendment of Master Plan.*
 - (iii) *Improvement as per Section 3(12) of DLR Act.*
- c) The Delhi High Court has held in the cases of NB Singh HUF & Anand J. Darwani that the DLR Act does not apply to the sanctioned farmhouses. Moreover after sanction of the land for a Farmhouse it cannot be assumed that the land is held or occupied for agricultural purposes, so it is no longer "land" as defined in Section 3(13) of the DLR Act, and cannot be subjected to Section 81 of the DLR Act.



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30-11-16

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- d) That the MPD was amended to allow low density residential area in the existing farmhouses in the locality of Village Rangpuri where the land of the respondent is situated. As per the development control norms, the respondent is entitled to cover 20% of the land by way of buildings and maximum FAR of 30 is permissible. The respondent is only required to keep 50% of the land area as green, therefore, there is no violation of Delhi Land Reforms Act in the present case as 50% of the area which is required to be kept as green is being maintained as green. In the present case, the land of Village Rangpuri, G-Zone, is included in the Zonal Plans and as it is already existing farmhouse (prior to 8.2.2007 notification of MPD 2021), hence it is eligible to be developed as "Low Density Residential Plots" as per notification for amendment of MPD 2021 by S.O.1199(E) dated 10/05/2013 and S.O.1744(E) dated 18-06-2013. Thus the land having been approved for development of residential area can no longer be subjected to DLR act. And the MPD 2021 (as amended) applies to the land in question which defines and controls the development activities on the land. The new norms in MPD 2021 as amended by the S.O 1199(E) permits dwelling house, servants quarters, watch and ward residence, FAR of 30, Minimum green area of 50%, Pool/water bodies (free of FAR).
- e) That now the DLR Act is otherwise not applicable to the land as it is specified as "Low Density Residential Plots" in the MPD 2021 (as amended) and the land is no longer rural agriculture land. Moreover in the case of Neelpadmaya Consumer Products Ltd. it has been held that if the land is included in an urban or to be urbanized areas as per zonal plan, then the DLR Act shall not apply. In the present case, the land of Village Rangpuri, Zone-G, is included in the Zonal Plans and proposed to be developed as "Low Density Residential Plots" as per notification for amendment of MPD 2021 by S.O.1199(E) dated 10/05/2013 and S.O.1744(E) dated 18/06/2013. Thus the land having been approved for development of residential area can no longer be subjected to DLR Act and the MPD 2021 (as amended) applied to the land in question which defines and controls the development activities on the land.
- f) That the construction existing on the land and the excess construction was duly regularized by the South Delhi Municipal Corporation by virtue of letter dated 4th February, 2015 bearing NO.237/REGL./B/HQ/SDMC/2014/D/04/AB-I.
8. The perusal of the Judgment delivered in Sh. Neelpadmaya Consumer Products Pvt. Ltd vs Shri Satyabr CS(OS) No. 78/2007 appears to be squarely applicable in this case. The operative part of this judgment reads as follow:

"A reading of the later part of sub-Section (13) of Section 3 of the Act shows that the land which is the



23-11-16

subject matter of the Act would no longer be the subject matter of the Act if there is issued a notification in the Official Gazette that the land which was the subject matter of the Act is an acquisition to the Delhi town and New Delhi town. Delhi town and New Delhi town or the definitions thereof show that the areas which are included in a municipality or a cantonment area or New Delhi Municipal Council area etc are excluded from the scope of the Act. Putting it in another words, areas which would fall under the municipalities i.e. urbanized areas or areas to be developed as an urban area were excluded from the purview of the Act.

This also becomes clear from the reading of Section 1 of the Act which excluded the operation of the Act when it came into force to areas which fell within any Municipality or notified area under the Punjab Municipal Act, 1911 or the Cantonments Act, 1924 i.e. those areas which were not rural and fell in urbanized area. A conjoint reading of provisions of Sections 1, 3(5), 3(13) and 3(15) of the Act shows that the object of law was that on a notification being issued in the Official Gazette of an area which was falling under the Act thereafter as falling within the Delhi town and New Delhi town or such an action of such lands falling in Delhi town and New Delhi town those lands cease to be the subject matter of 'land' which was the subject matter of the Act on account of the said land being land within the meaning of the definition of the land in Section 3(13) of the Act.

It is also required to be noted that the expression municipality with its cognate and agnate expressions has to be understood as being taken as urban areas because a municipality is for an urban area and it has to be taken



30-11-16

89

as a generic term for urban area in terms of the object of the aforesaid provisions of the Act. Thus if by a notification in an Official Gazette an area ceases to be a rural land as it is urbanized for urban development, then such lands are no longer rural lands falling under Section 3(13) of the Act.

In response to the argument urged on behalf of the defendants, counsel for the plaintiff has argued that it is not necessary that notification which is talked of in the later part of Section 3(13) of the Act has necessarily to be a notification only under Section 507 of the Delhi Municipal Corporation Act, 1951 in as much as even a notification issued by the Central Government under Section 11 of the Delhi Development Act, 1957 declaring an area to be the subject matter of a Master Plan or a Zonal Plan of the Delhi Development Authority, has the effect that such a land with respect to which a Master Plan or a Zonal Plan or an area plan is prepared (and which will entitle thereafter the DDA to treat such area as development area for being developed as per the Master or Zonal Plan etc) shows that by such notification lands no longer will remain the subject matter of the Act in as much as such lands are part of urbanization. Reliance is also placed in this regard upon paras 19 and 24 of the judgment of a learned Single Judge of this Court in the case of Gur Pratap Singh Vs. Union of India 2004 (111) DLT 25, and by which paras, the learned Single Judge has held that once a particular area is a subject matter of the Notification under the Delhi Development Act by notifying the Master Plan or Zonal Plan then such land becomes urbanized and hence is out of the scope of application of the Act and Section 3(13) of the Act. These paras 19 and 24 read as under:-



30/11/16

85

"19. This matter can be looked into from another aspect. The notification amending the Master Plan clearly provides that the land in question can be used for the purpose of a motel. Once this option is available and is exercised by owner of the land, the land is no more being used for agricultural purposes. Thus, once the land is elected to be used by the owner for a motel, permission for which has been granted under the amendment to the Master Plan, it no more remains agricultural land under the meaning of Section 3(13) of the Land Reforms Act. For this reason also, there would be no occasion for obtaining any permission. The Delhi Land Reforms Act, 1954 is an enactment for protecting the agricultural use of the land. Once this land itself ceased to be agricultural, there is, really speaking, no question of application of the Land Reforms Act. Needless to say, this is on account of the fact that there is permissible non-agricultural use of a motel in pursuance to the notification of 1995.

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24. Section 53(3) of the DDA Act makes it clear that once a permission for development under this Act has been obtained, the same shall not be deemed to be unlawful by reason of the fact that such permission, approval or sanction is required under any other law for which permission has not been obtained. Thus, in view of the mandate by the DDA and accepted by the MCD, there would be overriding effect of this mandate, even if the Land Reforms Act was to apply."

I arise with the argument which is urged on behalf of the plaintiff that a Notification for urbanisation need not only be through a notification under Section 507 of the



20/11/16
30/11/16

86

Delhi Municipal Corporation Act as the later part of Section 3(13) of the Act does not in any way require that there is only one manner of Notification viz only under Section 507 of the Delhi Municipal Corporation Act. This later part of Section 3(13) of the Act does not talk of a notification only under Section 507 of the Delhi Municipal Corporation Act. The requirement of this later part of Section 3(13) of the Act is only that a Notification is issued in the Official Gazette to take the land as part of the Delhi town and New Delhi town. Once a Notification is issued applying a zonal plan issued pursuant to the master plan showing that subject lands are covered under the zonal plan issued by the PWA, in such a situation, it has to be held that the lands cease to be the lands covered under the Act because of issuance of a notification in the Official Gazette results in the lands becoming part of the Delhi town. Additional reasoning on this aspect can be understood from the object and the language found in Section 1 and Sections 3(8) and 3(13) of the Act and which Sections show that once an area falls within a town area and an area ceases to be an agricultural land because it has to be developed as part of the development of the Delhi town or New Delhi town, then such an area no longer remains an agricultural area for being covered under the expression land as defined in Section 3(13) of the Act. With humility, I am in complete agreement with the observations made by the learned Single Judge of this Court in the case of Gurn Pratap Singh (supra) and which arrives at the same conclusion that once the land ceases to be agricultural, the land ceases to be the subject matter of the Act.

As per the aforesaid discussion, as also the ratio of the learned Single Judge in Gurn Pratap Singh (supra), once

[Signature]
30/11/16

87

the land is the subject matter of a Zonal Plan issued under Section 11 of the Delhi Development Act, the land is beyond the purview of the Act.

Also, in my opinion, once a particular area falls within the Zonal Development Plan issued by the DDA under Section 11 of the Delhi Development Act, thereafter calling the same by any description, whether rural or otherwise cannot take away the effect that the said land is very much part of notification issued for development of the area which is the subject matter of the zonal plan and hence the subject matter of issuance of a notification falling in the later part of Section 1(13) of the Act taking such land as outside the operation of the Act.

- 9 Again, the operative part of the judgment delivered by the Hon'ble High Court of Delhi in Gur Partap Singh vs Union of India is reproduced below to arrive at an explicit understanding of the exclusion of agriculture land from the purview of Delhi Land Reforms Act, 1954 once a Notification has been issued under Delhi Development Authority Act, 1957 or Delhi Municipal Corporation Act, 1957

"The matter in question is also not one of mere circulars, but has legislative force under the DD Act. The Master Plan was amended in exercise of the powers under the said Act. Section 53(2) of the said Act makes provisions of the DD Act override provisions of any other law and is in the following terms:

"53. Effect of other laws - (2) Save as otherwise provided in Sub-section (4) of Section 30 or Sub-section (8) of Section 31 or Sub-section (1) of this section, the provisions of this Act and the rules and regulations made there under shall have effect notwithstanding anything inconsistent therewith contained in any other law.

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20-11-16

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(3) Notwithstanding anything contained in any such other law

(a) when permission for development in respect of any land has been obtained under this act such development shall not be deemed to be unlawfully undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development has not been obtained;

(b) when permission for such development has not been obtained under this act, such development shall not be deemed to be lawfully undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development has been obtained."

Section 53(5) of the DM Act makes it clear that once a permission for development under this Act has been obtained, the same shall not be deemed to be unlawful by reason of the fact that such permission, approval or sanction is required under any other law for which permission has not been obtained. Thus, in view of the mandate by the DDA and accepted by the MCD, there would be overriding effect of this mandate, even if the Land Reforms Act was to apply.

10. Further, the observations of Hon'ble High Court of Delhi in Ram Lubhaya Kapoor vs J.R. Chawla also merit attention in the instant case matter wherein it has been observed that

"Needless to say that the DM Act is a later enactment. It creates a totally different jurisdiction and operates in entirely different sphere. As observed earlier, the object and the purpose of the Delhi Land Reforms Act, 1954 was to do away with all intermediaries and abolish ownership rights in the agricultural land by creating new



30-11-16

89

rights for the purposes of the Act. It has brought into existence new class of tenure holders called "bhumidars" and sub-tenure holders called "seanis" and they are required to use the land for agricultural purposes and purposes akin thereto. Various provisions contained in the Act are aimed at ensuring the same. However, the aim and object of the DMC Act is to consolidate and amend the law relating to the municipal government of Delhi. Its purpose is to regulate matters regarding public convenience and civic amenities so as to prevent haphazard construction of buildings and streets and provide efficient lighting system etc. Since DMC Act is a later statute in point of time, its provisions must take precedence over the provisions of the Act in the event of there being any conflict or inconsistency between them. Since both these acts operate in different spheres and create different types of jurisdictions, the question of implied repeal of the Act by the DMC Act as such does not, however, arise. It is settled law that the court leans against implying a repeal and unless two Acts are so plainly repugnant to each other that effect cannot be given to both of them at the same time, a repeal will not be implied. However, if there is an inconsistency which precludes the two Acts standing together, the latest expression of the will of the Parliament must always prevail. I find support in this view of the matter from the following observation of V.S. Deshpande, J. in Municipal Corporation of Delhi v. Hira Lal, 2nd (1971) 1 Delhi 250 (253) : "If at all, there is any inconsistency between the provisions of the Corporation Act and the provisions of Delhi Land Reforms Act and the Panchayat Raj Act, then it is the provisions of the Corporation Act which will prevail to the extent of the repugnancy for two reasons, namely : (1) The



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40

Corporation Act of 1957 being subsequent to the Land Reforms Act and the Panchayat Raj Act prevails over the previous enactments to the extent of repugnancy ; and (ii) Section 22 of the Government of Part C States Act, 1951 so provides."

11. The Farm House of M/s Jagrati Buildwell Pvt Ltd (Respondent) situated in Khasra No. 439(4-16), 440(4-16), 437(4-16), 438(4-16), 447(4-16) situated in the Revenue Estate of Village MalikpurKohi at Rangpuri, New Delhi has been regularized by the South Delhi Municipal Corporation (SDMC) vide File No 237/REGL/B/HQ/SDMC/2014/D/04/AE-I dated 04/02/2015 which has been approved by the Competent Authority after payment of a total amount of Rs 1,41,10,500/- (One Crore Fourty One Lakhs Ten Thousand & Five Hundred Only). The above Farm House has been regularized in pursuance of the Notification No S.O.2622(E) dated 30-10-2012 issued by the Delhi Development Authority regarding "Regulations for Regularization of Farm Houses in Delhi (under Section 57 of Delhi Development Act, 1957 and subsequent notifications S.O.1199(E) dated 10-05-2013, S.O. 1744(E) dated 13-06-2013, S.O.2822(E) dated 20-09-2013, S.O. 381(E) dated 12-02-2014 and S.O. 2973 (E) dated 26-11-2014. As a consequence, the land in the above noted Khasra Nos pertaining to the Farm House is beyond the purview of Delhi Land Reforms Act, 1954 in consonance with the judgments delivered by the Hon'ble High Court of Delhi in the above noted court cases. Further, as already cited above, Section 53 of Delhi Development Act, 1957 categorically asserts "The Provisions of this Act and the rules and regulation made there under shall have effect notwithstanding anything inconsistent therewith contained in any other law. Notwithstanding anything contained in any such other law -- (a) when permission for development in respect of any land has been obtained under this Act such development shall not be deemed to be unlawfully undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development has not been obtained".
12. Further Section 53A of DD Act specifies as thus
53A. Restriction on power of a local authority to make rules. -

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- (1) Notwithstanding anything contained in any law for the time being in force, no rule, regulation or bye-law shall be made or amended by a local authority, in respect of matters specified in Sub-Section(2) unless the Authority, up on consideration of such rule, regulation or bye-law, certifies that it does not contravene any of the provisions of the Master Plan or the Zonal Development Plan.
- (2) The matters referred to in sub-section (1) are the following, namely: -
- (a) water supply, drainage and sewage disposal;
 - (b) erection and re-erection of buildings, including grant of building permissions, licenses and imposition of restrictions on use and sub-division of buildings;
 - (c) sub-division of land into building sites, roads and lanes, recreational sites and sites for community facilities; and
 - (d) development of land, improvement schemes, and housing and re-housing schemes.
13. In view of the aforesaid submissions, this Court is of the considered opinion that the construction in the land bearing Khasra No. 439(4-16) and 447 (4-16), in addition to land in Khasra No. 440(4-16), 437(4-16), 438(4-16) of Village Rangpuri has been carried out in accordance with law. Consequently, the L.R. 48 Notice dated 19/05/2015 and Decree dated 21-12-2015 are hereby withdrawn and proceedings under Section 81 of DLR Act, 1954 are hereby dropped.
14. Announced in open Court under my hand and seal of this Court on 30th November 2016



EDM/REVENUE ASSISTANT
VASANT VIHAR

Copy to:

1. P.S. to Dy. Commissioner (New Delhi)
2. Tehsildar (Vasant Vihar), Palika Bhawan, Sector-13, R.K. Puram, New Delhi
3. Parties concerned.
4. M.O. New Delhi District, 12/1, Jan Nagar House, New Delhi with the direction to upload this order on the official website of District New Delhi.