

NOTIFICATION

New Delhi, the 22nd September, 2006

S.O. 1591(E) Whereas certain modifications which the Central Government proposed to make in the Master Plan for Delhi-2001, were published in the Gazette of India, Extraordinary, as Public Notice vide S.O. No. 1160(E) dated 21st July, 2006 by the Delhi Development Authority in accordance with the provisions of Section 44 of the Delhi Development Act, 1957 (61 of 1957) inviting objections and suggestions as required by sub-section (3) of Section 11 A of the said Act, within thirty days from the date of the said notice;

2. Whereas the objections and suggestions received with regard to the proposed modifications were considered by a Board of Enquiry duly constituted by Delhi Development Authority under the relevant rules, and the Authority, after having considered the report of the Board, has recommended the modification of the Master Plan 2001, as envisaged in the said public notice, with certain changes;

3. And whereas, the Central Government has, after carefully considering all relevant aspects of the matter, decided to modify the Master Plan for Delhi 2001;

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 - 2001 with effect from the date of Publication of this Notification in the Gazette of India.

Modification:

On page 159 (RHS) of the Gazette of India dated 1st August 1990, as modified vide Gazette of India Notification dated 23rd July 1998, the following development control norms shall be substituted in respect of Residential Plotted Development (001) in modification of norms laid down in the said Notification dated 23rd July 1998, and subject to the terms and conditions given below:-

Residential Plotted Development (001)

Sl. No.	Area of the plot (sqm) (1)	Maximum ground coverage %	Maximum FAR	Maximum height in metres
1	Below 32	90(2)	350	15
2	Above 32 to 50	90 (2)	350	15
3	Above 50 to 100	90 (2)	350	15
4	Above 100 to 250	75 (3)	300(3)	15
5	Above 250 to 500	75	225	15
6	Above 500 to 1000	50	150	15
7	Above 1000 to 1500	40	120	15
8	Above 1500 to 2250	40	120	15
9	Above 2250 to 3000	40	120	15
10	Above 3000 to 3750	40	120	15
11	Above 3750	40	120	15

Note:

1. The local body concerned shall be competent to disregard variation of upto 2% in plot size, arising from conversion of area from sq.yd to sqm and to grant the norms applicable to the lower category of plot size in accordance to para (ii) below.
2. 100 % ground coverage may be eligible for regularization of construction already existing as on the date of this notification on payment of charges as given in this notification.
3. 100 % ground coverage and 350 FAR shall be eligible for regularization of construction already existing as on the date of this notification on payment of charges as given in this notification, in respect of plot size between 100 to 175 sqm.

Terms and conditions:

- (i) No additional dwelling unit beyond that permissible under notification dated 15th May 1995 shall be permitted, unless the infrastructure and services have been augmented by the local body and the lay-out plan and services plan of the area have been accordingly upgraded. The applicant plot owner/ allottee shall therefore have to give an undertaking to the

effect that no additional dwelling unit has been or is sought to be created beyond that permissible vide notification dated 15th May 1995.

- (ii) The total coverage and FAR permissible in any plot in a category, shall not be less than that permissible and available to the largest plot in the next lower category.
- (iii) Subdivision of plots is not permitted. However, if there are more than one buildings in one residential plot, the sum of the built up area and ground coverage of all such buildings, shall not exceed the built up area and ground coverage permissible in that plot.
- (iv) The mezzanine floor and service floor, if constructed, shall be counted in the FAR.
- (v) Basement in case of plotted development, if constructed, shall not be included in FAR. Basement area shall not extend beyond the coverage on the ground floor as per permissible and sanctioned built up area, but may extend to the area below the internal courtyard and shaft.
- (vi) Parking space shall be provided for within the residential plot as follows:
 - a. 2 Equivalent Car Space (ECS) in plots of size 250-300 sqm;
 - b. 1 ECS for every 100sqm built up area, in plots exceeding 300 sqm.

Provided that if the permissible coverage is not achieved with the above-mentioned parking norms in a plot, the parking norms of the preceding category shall be allowed.
- (vii) If the building is constructed with stilt area of non-habitable height (less than 2.4m), used for parking, such stilt area shall not be included in FAR but would be counted towards the height of the building.
- (viii) The minimum setbacks shall be as given in the following table unless otherwise prescribed.

S.No.	Plot size (in sqm)	Minimum Setbacks (in metre)			
		Front	Rear	Side (1)	Side (2)
1	Below 100	0	0	0	0
2	Above 100 and upto 250	3	0	0	0
3	Above 250 and upto 500	3	3	3	0
4	Above 500 and upto 2000	6	3	3	3

5	Above 2000 and upto 10000	9	6	6	6
6	Above 10000	15	9	9	9

- a) In case the permissible coverage is not achieved with the above-mentioned setbacks in a plot, the setbacks of the preceding category may be allowed.
- b) In the case of construction in the future, a minimum 2m X 2m open courtyard shall be provided for in residential plots of area of 50 sqm to 100 sqm.
- (ix) Plot owners/ allottees seeking extra coverage, additional floor or part thereof, over and above Gazette Notification dated 23rd July 1998, as per above mentioned norms, shall be charged betterment levy (or additional FAR charges) at the rates notified with the approval of the Government, from time to time. This is in addition to the levy payable on the additional FAR allowed vide notification dated 23rd July 1998 and over the FAR allowed vide notification dated 15th May 1995.
- (x) Plot owners/ allottees seeking regularization of construction in terms of the additional coverage allowed under this notification, shall have to pay a penalty and compounding charges notified with the approval of the Government, over and above the betterment levy referred to in para (ix) above.
- (xi) Plot owners / allottees seeking regularization of additional height in terms of this notification, will have to pay penalty and special compounding charges notified with the approval of the Government, in addition to betterment levy referred to in para (x).
- (xii) The amount so collected shall be deposited in an ESCROW ACCOUNT by the local body concerned for incurring expenditure for developing parking sites, augmentation of amenities/ infrastructure and environmental improvement programmes and a quarterly statement of the income and expenditure of the Account shall be rendered by the local bodies to the Government.

(xiii) Encroachment on public land shall not be regularized and shall be removed first before the local body grants sanction for regularization of additional construction / height.

(xiv) Every applicant seeking sanction or regularization of additional FAR and / or height shall submit a certificate of structural safety obtained from a structural engineer. Where such certificate is not submitted or the Building is otherwise found to be structurally unsafe, formal notice shall be given to the owner by the local body concerned, to rectify the structural weakness within a reasonable stipulated period, failing which the building shall be declared unsafe by the local body concerned and shall be demolished by the owner or the local body.

[K-13011/9/06-DD IB]

(S.Mukherjee)
Under Secretary to the Government of India