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## CHAPTER –I

### GENERAL INFORMATION

#### 1.0 BUILDING PERMIT & COMPLETION CERTIFICATE A MUST:

No person shall erect or re-erect or make alteration or cause the same to be done without first obtaining a separate building permit for each such building from the M.C.D. It is in the interest of the public to get the Building Plans sanctioned to ensure that building constructed has adequate structural strength and has provision for light, ventilation, hygienic conditions and conform to the provisions of Master Plan and Zoning regulations. Constructions raised without sanction are liable for demolition under section 343 and 344 of D.M.C. Act and owner/builder can also face regular prosecutions under section 345A read with section 466A of the Act.

It is also mandatory under section 346 of the DMC Act to obtain a completion certificate without which no person is permitted to occupy or permit to be occupied any such building or permit to be used any building or a part thereof effected by any such work until permission has been granted by the Commissioner in this behalf.

#### 2.0 PROCEDURE FOR OBTAINING BUILDING PERMIT:

##### 2.1 How to apply

Every person who intends to erect or re-erect or make alterations in a building, shall give notice in writing in the prescribed form No. I (Please see *Appendix 'A'*) and such notice shall be accompanied by the following:

- i) **Copies of plan and statements** - Normally 4-copies of plans and statements shall be made available along with the notice. In case of building schemes, where clearance is required from Delhi Fire Service, the number of copies of the plans and statements accompanying the notice shall be 6. In case of schemes requiring clearance of both Delhi Urban Art Commission and Delhi Fire Services, the number of copies shall be 8 and in addition special drawings and model, as desired by Delhi Urban Art Commission shall be made available. In case of sites requiring the clearance of Land and Development office, 9-copies of the plan shall be made available.
- ii) **Proof of Ownership** shall have to be submitted along with building plan application in the form of Lease-deed, sale deed etc. duly accompanied by an annexed site plan giving the physical description of the plot/property. In such cases where lease deed has not been executed, N.O.C. from the competent authority shall be submitted.
- iii) **Specification:** Two copies of the specifications of the proposed construction in the prescribed form No. II (Please see *Appendix 'A'*)
- iv) **Supervision Certificate:** A certificate in the prescribed form, signed by the licensed Architect/Engineer, supervisor/Group and plumber who is to supervise the construction. (As per *Appendix 'B'*) along with a copy of valid registration certificate of the professional.

- v) **Structural stability certificate** from a Structural Engineer along with a copy of registration certificate/copy of degree of the professional in the format as per **Annexure 'A.'**
- vi) **Rain Water Harvesting Certificate** in case of plot size more than 100 sq. mtrs in the format as per **Annexure 'B'.**
- vii) **No nuisance/ Mulba certificate** in the format as per **Annexure 'C'.**
- vii) **Data to be furnished as required by NBO** in the format as per **Annexure 'D'** duly filled in triplicate.
- viii) **Affidavits and Undertakings to be submitted:**
  - (a) **Indemnity Bond** in case of proposal for the construction of a basement as given in **Appendix 'N'.**
  - (b) **An affidavit for declaration no collaboration agreement** in the format as given in **Annexure 'E'.**
  - (c) **An affidavit for declaration of collaboration agreement** in the format as given in **Annexure 'E-I'.**
  - (d) **An undertaking for not creating any extra dwelling unit** in the format as given in **Annexure 'F'.**
  - (e) **An affidavit** to the affect that **building materials shall not be stacked** on Government land in case of plot size more than 418 sq.mtrs. in format as given in **Appendix 'M'.**
- x) **N.O.C/No dues certificate** from House Tax department.
- xi) **Other documents which are required to be submitted along with building plan application in special cases:**
  - a) In case of any deviation from the terms and conditions stipulated in the lease deed / ownership document, necessary clearance from the lessor;
  - b) **No objection Certificate from the Competent Authority** regarding land use as per Master Plan/ Zonal Plan, if required;
  - c) **Approval from the Chief Inspector of Factories** in case of Industrial Buildings;
  - d) **Approval from Chief Controller of Explosives, Nagpur and Chief Fire Officer, Delhi** in case of hazardous buildings;
  - e) **Proof of existing structures in the shape of previous sanctioned building plan and completion certificate** if the proposals are for additions and alterations;
  - f) **Approval of Delhi Urban Arts Commission** wherever required under DUAC Act shall have to be obtained before sanction of building plans;

- g) **Recommendations of Chief Fire Officer** in case of Industrial, Institutional and multi-storeyed buildings shall have to be obtained;
- h) **N.O.C. from DVB/ Distribution companies** in case of Group Housing Schemes and in case of institutional buildings if ESS is proposed;
- i) **No objection certificate from ASI** in case of plots falling within 300 mtrs. of any protected monument;
- j) **No objection certificate from DMRC** in case plot is falling within MRTS corridor.

## 2.2 Signing of plans:

All the plans shall be duly signed by the owner and / licensed Architect / Architects registered with Council of Architects and shall indicate their names, addresses, license and enrolment number. However, plans in respect of plots up to 500 sq.m. and up to 4 storeys may be signed by a licensed Engineer and for plots upto 200 sq.m. and upto 3 storeys by a licensed supervisor, instead of licensed Architect / Architects registered with Council of Architects.

## 2.3 Building permit fee & stacking charges

### (a) Building permit Fee

No building application shall be deemed valid unless and until the owner giving notice has paid the requisite Tax on building application as per schedule given below: -

S. No	Area	For the First storey ( Rs.)	For the second storey or any subsequent storey ( Rs.)
1	For a ground area upto 100 sq. yards	20.00	40.00
2	For a ground area of more than 100 sq. yards but not exceeding 250 sq. yards.	60.00	120.00
3	For a ground area of more than 250 sq. yards but not exceeding 500 sq. yards.	150.00	300.00
4	For a ground area of more than 500 sq. yards but not exceeding 1000 sq. yards.	300.00	600.00
5	For a ground area of more than 1000 sq. yards.	600.00	1500.00
6.	Notice on completion of work upto plinth level <b>Appendix B-1</b> to be accompanied with a fee of Rs. 15/-.		
6	<b>Plan submission fee for the approval of layout for development / subdivision of land shall be calculated at the rate of Rs.10,000 per acre</b>		
9	<b>Fee for application of completion certificate shall be Rs. 1/- per sq. mtr. of covered area.</b>		

- N.B. 1:** - For purpose of assessment and calculation of the tax, ground area shall mean the area of the portion, which is proposed to be built including the internal courtyard.
- N.B. 2:** - For purpose of the above schedule, the basement where provided will be regarded as the first storey, the ground floor over the basement as the second storey and so on.
- N.B. 3:** - In case where the application is deemed to have been sanctioned under the provisions of section 337, the tax shall become payable in the same manner as in cases where an application is sanctioned.
- N.B. 4:** - In case an application is rejected, 5% of tax due shall be retained and the balance shall be refunded to the applicant

**(b) Stacking Charges:**

In case of plot size of 418 sq.mtrs. and more, stacking of building materials or Malba is not permitted on the Government land. For plots falling in areas where services are being maintained by any Govt. Agency and for plots below 418 sq. mtrs. the stacking of any building material on Govt. land shall be allowed by a special permission within the validity period of sanction of the building plans and the stacking charges shall be levied as given below: -

- i) At the rate of Rs. 1.00 per sqm of covered area / for plots upto 42 sqm. in area;
- ii) At the rate of Rs. 1.50 per sqm. of covered area for plots upto 84 sqm. in area;
- iii) At the rate of Rs. 2.00- per sq. m. of plots above 84 sqm.

### **3.0 WHERE TO APPLY FOR SANCTION OF BUILDING PLANS**

Building plan application on prescribed forms duly filled in and signed by Registered Architect / Engineer/Supervisor and the owners along with the prescribed documents in respect of residential plots up to 334.44 sq.m. (400 sq. yards only) should be submitted zone wise in the office of Executive Engineer (Bldg.) on any working day upto 2.00 P.M. Building plan application for residential buildings of plot area exceeding 334.44 sq.m.(400 sq. Yards), Farmhouses and all non- residential plots, should be submitted in the Building Department (Head Quarter), Room No 112, Town Hall Delhi on any working day upto 2.00 P.M except Tuesday, the day of single window service. Facility is available for submission of building plans in single window service in all zones as well as in Building (Head quarter).

#### **3.1 Location address and telephone nos. of zonal office & building head quarter**

<b>S. No.</b>	<b>Zonal Office</b>	<b>Location of Zonal Office</b>	<b>Telephone No</b>
1	City Zone	J.L.Nehru Marg, New Delhi	D.C 2 3236340 S.E 23222370 E.E.(B) 23248265
2	Central .Zone	Jal Vihar, Lajpat Nagar, New Delhi	D.C:- 29815975 S.E.: - 29818306

			E.E. (B)	29813982
3	South Zone	Aurbindo Marg, Green Park, New Delhi	D.C.:- S.E.:- E.E.(B) :-	26514368 26868014 26517191
4	S.P.Zone	Behind P.S. Sadar, Idgah Road, Dehi	D.C.:- S.E.:- E.E.(B)	23525955 23535226 23968728
5	K.B.Zone	Desh Bandhu Gupta Road, Dev Nagar, Delhi	D.C.:- S.E.:- E.E.(B) :-	25729723 25811298 25751291/ 209
6	West Zone	Community Centre Slum & JJ, Vishal Enclave, Rajouri Garden, Delhi.	D.C.:- S.E.:- E.E.(B) :-	2 5934789 25155382 25119707
7	Civil Line Zone	16, Rajpur Road, Civil Lines, Delhi	D.C. S.E. :- E.E.(B):-	23982437 23964760 23968909
8	Shahdara South Zone	Karkar Doma Complex, Shahdara	D.C S.E. :- E.E.(B):-	22203651 22387084 22391888
9.	Shahdara North Zone	Navin Shahdara, Delhi	D.C. S.E. :- E.E.(B):-	22824647 22825121 22824170
10.	Rohini	Sector V Rohini near Rajeev Gandhi Cancer Institute New Delhi	D.C. S.E. :- E.E.(B):-	27052101 27052102 27052110
11.	Narela Zone	Alipur Stadium, Alipur	D.C. S.E. E.E.(B)	27781536 27784478 27202621 P.P
12.	Najafgarh Zone	Main Bus Stand, Delhi Gate, Najafgarh	D.C.:- S.E. E.E.(B)	25321302 25321585 25321585
13.	Building (HQ)	Town Hall, Chandni Chowk, Delhi	S.E. :- E.E. :-	23242270 23962689

#### 4.0 FACILITIES AVAILABLE FOR SANCTION OF BUILDING PLANS:

##### 4.1 Jurisdiction

Building plans of residential plots upto 400 sq. yds. (334.44 sqm.) are sanctioned by the respective Executive Engineer (B) of the zone and beyond 400 sq. yds. and all other types of buildings like institutional, commercial and factories are sanctioned by the Executive Engineer (B) at the head quarter irrespective of the size of plot. The following options are available for getting the building plans sanctioned:

##### A) Instant Sanction: - For residential plots upto 500 sqm. across the table:

This scheme is applicable for plots, which are lying vacant and form part of approved LOP (layout plan) with respect to its size, shape and area of plot and

where mandatory set backs, position, size and shape of garage blocks are also shown in the layout plan.

**B) Single Window Service**

The concept of single window clearance for sanction of building plan application was initially introduced at Building HQ. Seeing the over whelming response this service was extended in all Zones of the Corporation. Under this single window service, following facilities are made available:

- 1) To accept application for building plan, completion certificate and certified copy of any of these documents;
- 2) To deposit necessary building fees and taxes;
- 3) To provide any guidance relating to sanction of the building plans, completion certificate under the provisions of both Building Bye-laws and Master Plan and any other information relating to building activity in the zones;
- 4) To provide counseling for submission of fresh building plan application;
- 5) To fix up time and date for inspection both for sanction of building plan as well as completion certificate, if the same has not been notified earlier;
- 6) To carryout corrections in the building plans or for making any compliance;
- 7) To deliver sanction of the building plans, completion certificate and certified copies.
- 8) To issue Completion Certificate at the spot under 'Tatkal' Scheme in view of Office Order No. D/79/EE (B) HQ dated 3.2.2004.
- 9) To accord sanction to building plan application, which are complete in all respect and the proposal is as per B.B.Ls, Master Plan provisions and site is found in order.

**C) Through normal channel:**

In the case of approved colonies, building plans are normally sanctioned in about 7 to 15 days time after necessary compliance/ corrections having been done. However, where some policy decision or interpretation of B.B.L is needed, such cases are placed before Building Plan Committee, both at Hq. level and at the Zonal level for decision.

4.2 Weekdays fixed for single window service

<b>Zone</b>	<b>Days</b>	<b>Time</b>
City Zone	Wednesday	10.00 AM to 1.00 PM
Central Zone	Tuesday	10.00 AM to 1.00 PM
South Zone	Wednesday	10.00 AM to 1.00 PM
S.P.Zone	Wednesday	10.00 AM to 1.00 PM
K.B.Zone	Wednesday	10.00 AM to 1.00 PM
West Zone	Thursday	10.00 AM to 1.00 PM
Civil Line Zone	Thursday	10.00 AM to 1.00 PM
Shahdara Zone (North)	Wednesday	10.00 AM to 1.00 PM
Shahdara Zone (South)	Wednesday	10.00 AM to 1.00 PM
Rohini Zone	Friday	10.00 AM to 1.00 PM
Najafgarh Zone	Thursday	10.00 AM to 1.00 PM
Narela Zone	Wednesday	10.00 AM to 1.00 PM

Building HQ (At underground parking site at Asaf Ali road)	Tuesday	10.00 AM to 1.00 PM
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## 5.0 PROCEDURE FOR PROCESSING BUILDING PERMIT APPLICATION:

1. On the day, application for grant of building permit is received, building section shall give a suitable date and time for the site inspection. In any case the date will be given within 10 days from the receipt of application.
2. After the site has been inspected, the case shall be scrutinized within 30 days from the date of inspection. In case there are no objections and corrections requiring compliances from the owner, the sanction shall be released within 60 days from the date of submission.

For other cases where corrections or compliances of other objections is necessary, the same is intimated to the applicant within 45 days from the date of submission. Such correction/ compliance should be completed within 30 days after compliance of which the building permit shall be released within 15 days from the date of such compliance.

In case of non-compliance by the applicant within stipulated period, the building permit shall be refused. In case of such applications for building permit which are not in conformity with the bye-laws/Master Plan/Zoning Regulations or deficient in papers/documents and required information, the application shall be liable to be rejected.

### 5.1 Validity period of building permit

The sanction once accepted through building permit shall remain valid for five years from the date of sanction for the residential, industrial, commercial buildings as well as well as larger complexes and multi-storeyed buildings, and such buildings as classified under clause 2.54.2, 2.54.3 & 2.54.4. The building permit shall be got revalidated before the expiry of this period. Revalidation shall be subject to the Master Plan/Zonal Plan regulations and Building Bye-laws.

**Note: - No building activity can be carried out after the expiry of validity of such building permit.**

### 5.2 Procedure for obtaining revalidation of building permit:

The Building Permit can be revalidated for a period of one year at a time from the date of expiry of the validity of the original permit on payment of the required revalidation fees. Application for such revalidation shall be submitted on plain paper along with the following documents: -

- (a) Original sanctioned plan;
- (b) Revalidation fee that shall be as the fee of the original permit fee per year of lapsed sanction.
- (c) NOC from competent authority as per terms and conditions of lease-deed, if required;

- (d) NOC/ No dues certificate from House Tax Deptt. of M.C.D.
- (e) Documents in support of Construction, if any having been done within valid period of sanction;
- (f) Certificate of supervision from Architect / Engineer/ Supervisor that the construction is being carried out under their supervision according to the plans sanctioned by Municipal Corporation of Delhi.
- (g) Ownership documents or Affidavit for no change in ownership after the previous sanction.

The application for revalidation shall be processed and revalidation conveyed within 15 days from the date of submission, if the case is in order. In case of any objection, either the refusal of such revalidation or objection shall be intimated to the party within 15 days from the date of submission of the application.

**Note:- No application for revalidation shall be entertained without the revalidation fee and the revalidation shall be accorded only if the bye-laws have not been modified to the disadvantage of the applicant.**

### 5.3 Appeals against rejection of building plans:

In case the building plan is rejected on certain grounds and objections, an appeal can be made after satisfying the objections, in the office where the plans were rejected along with an appeal tax at the rate of 5% of the Building tax already deposited. Appeal can be considered; if the refund of the building tax already deposited has not been claimed.

### 5.4 Refund of building permit fee

In case building plan application is rejected, 5% of the building permit fee shall be retained and balance shall be refunded to the applicant provided the claim is made within three years from the date of issue of rejection. Such application shall be made to the office where application was submitted.

### 5.5 Revocation of building permit:

The MCD may revoke any building permit issued under the provisions of the bye-laws if there has been any false statement or any mis-representation of material facts in the application on which the building permit was based.

**Or**

If the building permit, so issued, is found to be in violation of building bye-laws / Master Plan /Zonal Plan regulations

**Or**

If during construction it is found that the owner has violated any of the provisions of the Building Bye-Laws or sanctioned plan.

### 5.6 Display of sanctioned building plan at site

It will be obligatory on the part of every owner to display a copy of sanctioned plan at some conspicuous place during the construction of the building, failure to do so may result in revocation of the building permit and the construction carried out will be treated as unauthorized construction.

## 6.0 PROCEDURE DURING CONSTRUCTION WORK

### 6.1 Intimation for taking up work at site

The owner / applicant who has been granted such buildings permit shall intimate the authority in writing in **form III Appendix 'B'** before 7 days of starting of construction work at site. He shall obtain an acknowledgement from the authority of this notice. After receiving such notice authority may depute an officer for inspection of the site. Failure to send this intimation is a violation of the condition of sanction and is subject to prosecution u/s 337 (4) of D.M.C. Act, which may invite a fine upto Rs. 10,000, and daily fine upto Rs. 500/-

### 6.2 Intimation at completion of the work upto plinth level

At this stage, the owner through his licensed Architect/Engineer/Supervisor shall give a notice to the MCD in the Performa as per **Appendix B-1 accompanied with a fee of Rs. 15/-** on completion of work upto plinth level to enable the MCD to ensure that work conforms to the sanctioned plans and Building Bye-laws. The following documents are also to be submitted along with the notice:

- 1) Copy of valid Certificate of Licensed Architect/Engineer/Supervisor;
- 2) Building plans, indicating the plinth constructed at site in relation to the plot dimensions, area and setbacks, duly signed by the Owner and licensed Architect/Engineer/Supervisor.

It will be obligatory on the part of the local body (MCD) to inspect the work and submit the objection, if any, to the owner and architect/engineer within 30 days from the receipt of such notice in **form B-2 failing which work will deemed to be cleared for further construction**. It will be the responsibility of the owner/architect/supervisor to ensure further construction of the building in accordance with the sanctioned building plan.

## 7.0 PROCEDURE FOR OBTAINING COMPLETION CERTIFICATE:

### 7.1 Notice of completion:

According to the provision as contained under section 346 of DMC Act, it is mandatory for every person not to occupy or permit to be occupied any such building or use or permit to be used any building or part thereof effected by such work until permission has been granted by the Commissioner in this behalf in accordance with bye-laws made under the Act.

Every person shall have to submit a notice of completion of the building in the format as per **Appendix 'F'** to the Authority regarding completion of the work as described in the Building Permit. The notice of completion shall be submitted by the owner through the licensed Architect / Engineer or group, as the case may be who has supervised the construction, accompanied by the following documents and along with a fee of Rs.20/-.

- 1) Copy of Lease-deed / Sale-deed;
- 2) Three copies of completion plan;

- 3) Three photographs of the building taken from different angles so as to show the overall view of the building;
- 4) Copy of Sewer connection permission;
- 5) Structural stability Certificate duly signed by the licensed Architect / Engineer;
- 6) Form for certificate of Licensed Architect/Engineer/Supervisor/Group (*Appendix 'G'* of BBL –1983);
- 7) Extension of time from the lessor, if required;
- 8) Water Harvesting Certificate;
- 9) Certificate from the lift manufacturers or competent authority of GNCTD as required;
- 10) Certificate from Air-conditioning Engineer, if required;
- 11) Latest House Tax receipt/No dues certificate.
- 12) Clearance from DUAC, if required
- 13) Clearance from Chief Fire officer, Delhi, if required;
- 14) Clearance from Chief Controller of Explosives Nagpur, if required;
- 15) Clearance from DVB/Distribution companies regarding provision of transformer / sub-station / ancillary power supply system etc, if required;
- 16) A copy of valid registration certificate of the professional.

### 7.2 Where to apply for completion certificate

Application in the prescribed form along with completion plan and other documents should be submitted in the respective zones for all types of buildings. Time for joint inspection will be communicated to the applicant / architect at the time of filling such applications. Objections and compounding fee shall be intimated within a week of joint inspection. Your architect is expected to provide assistance to you in getting the completion certificate / occupancy certificate.

### 7.3 Issue of completion certificate under 'tatkal scheme'

In the existing procedure, further simplification has been made for issue of Completion Certificate across the table under 'Tatkal Scheme'. Completion certificate will be issued on the basis of submission of an affidavit / undertaking by the Architect/Engineer/Supervisor/Group to the effect that building has been constructed strictly as per law keeping margin for compounding deviations. **If any professional submits such an affidavit/undertaking along with compounding fee on the basis of his assessment, completion certificate is issued without any further verification of any kind.** Architects registered with the Council of Architect are entitled to avail this facility for all buildings constructed irrespective of the size of plot, whereas Engineers & Supervisors shall be entitled for the plot size for which they are licensed to submit building plans to the MCD. The following procedure is to be followed:

1. A notice for completion shall be given in the proforma given in *Appendix 'F'* of Building Bye-laws 1983. The notice of completion shall be submitted by the owner through the licensed Architect/Engineer/Supervisor/Group as the case may be who has supervised the construction accompanied by the following documents and along with a fee of Rs. 20/- and compounding charges as worked out on the basis of assessment by the Architect/Engineer/Supervisor/Group.
  - i) Copy of lease-deed/ sale deed.
  - ii) Three copies of completion plan.

- iii) Three copies of photographs taken from different angles so as to show the overall view of the building.
  - iv) Original sanctioned building plan (To be returned back along with completion certificate.
  - v) Copy of sewer connection permission.
  - vi) Structural Stability Certificate duly signed by the licensed Architect/Engineer.
  - vii) Form for certificate of Licensed Architect/Engineer/Supervisor/Group (**Appendix 'G'** of BBL-1983)
  - viii) Extension of time from the lessor if required
  - ix) Water Harvesting Certificate (**Annexure 'B'**).
  - x) Affidavit/undertaking of Architect Engineer/Supervisor/Group (as the case may be) on Rs.10/- Non-judicial Stamp paper to be Attested by Notary Public/Metropolitan Magistrate as per **Annexure 'G'**.
  - xi) Affidavit of Applicant/Owner on Rs.10/- Non-Judicial Stamp Paper to be attested by Notary Public/Metropolitan Magistrate as per **Annexure 'H'**.
  - xii) A statement indicating deviations that are carried out and compounding fee payable.
  - xiii) Three copies of form-I (**Appendix 'H'** of Building Bye-laws 1983) duly filled in by the professional.
2. The above simplified procedure is applicable for all type of buildings except buildings as identified in Building Bye-law No. 6.2.4.1 where clearance is needed from the Chief Fire Officer regarding the completion of the work from the fire protection point of view or the scheme requires clearance from Delhi Urban Art Commission.
3. In case the application submitted under the 'Tatkal' scheme is not in order, the same shall not be accepted and the reasons for not accepting the proposal shall be recorded on the application itself submitted by the owner/Architect/Engineer/Supervisor/Group.

**Procedure for acceptance of Completion Certificate applications is as follows:**

- (i) The application along with all information /documents and affidavit/undertaking duly signed by the owner/Architect Engineer/Supervisor/Group shall be accepted in order. Incomplete application shall not be accepted.
  - (ii) All the completion plans shall be duly signed by the owner and the Architect/Engineer/Supervisor/Group (as the case may be) and shall indicate his/her name, address and registration number.
  - (ii) No application shall be deemed valid unless and until the owner giving notice deposits the requisite fee, compounding charges and other charges if any.
4. The application will be entertained/accepted and the completion certificate will be issued under Section 346 of the DMC Act, 1957 in the following manner:
- (i) Accommodation shown in the completion plans shall be recorded in the printed completion certificate book (form-I, **Appendix 'H'** of Building Bye-laws 1983).

- (ii) A stamp shall be affixed on the completion plans & completion certificate (form-I, Appendix 'H' of Building Bye-laws 1983) that the accommodation shown has been taken in order on the basis of documents, affidavits/undertakings as per **Annexure "G & H"** submitted by the registered professional and the owner and in case of any discrepancy/mis-representation at any stage contrary to the particulars given in **Annexure "G & H"** is found, the completion certificate shall be treated as cancelled, besides taking other actions against the owner and the professional. The contents of the stamp are given as below:

**CONDITION OF ISSUE OF COMPLETION CERTIFICATE UNDER TATKAL SCHEME**

"The completion certificate is issued on the basis of documents, affidavits/undertakings submitted by the owner and the registered professional. In case any discrepancy/mis-representation is found at any stage, certificate issued shall be treated as cancelled, besides taking other actions against the owner and the professional".

- (iii) All the three copies of completion plan and form-I shall be signed by the Executive Engineer (B) of the zone; one copy shall be given to the owner, second copy to be sent to the House Tax department of the zone and third copy to be retained for office record.
- (iv) The original sanctioned building plan received along with the application shall also be returned to the owner.

**7.4 Occupancy of building without obtaining completion certificate:**

No person shall occupy or permit to occupy any building without first obtaining Completion Certificate from the M.C.D. as required U/S 346 of the DMC Act. Offence U/s 346 of the act is punishable with a fine of Rs. 200/- and a further daily fine of Rs. 10/- if such an offence continues

**8.0 CONSTRUCTION OF BUILDING WITHOUT SANCTION**

Buildings constructed without a valid building permit are unauthorized and illegal and are liable to be pulled down under section 343(1) of the Delhi Municipal Corporation Act 1957. The builders of unauthorized construction in case of failure to demolish the same may invite prosecution under section 343 of the D.M.C. Act, which may result in simple imprisonment which may extend to six months or fine which may extend to Rs. 5,000/- or with both. Such buildings can also be sealed under section 345 A of D.M.C Act.

**9.0 MISUSE OF BUILDING:**

No person can change the use of any land or building or part thereof to other than the sanctioned or permissible use and the offence of the misuse is punishable u/s 347 of the D.M.C. Act 1957, which may result in simple imprisonment that may extend to six months or fine which may extend to Rs. 5,000/- or with both.

**10.0 DEVIATIONS FROM SANCTIONED PLAN**

**(A) Non- Compoundable Items:**

- (i) Any deviations from the maximum/ minimum prescribed limits regarding

- 1) Coverage
- 2) F.A.R.
- 3) Set- back
- 4) Open spaces
- 5) Total height of the building
- 6) No. of floors
- 7) No of D.U.s & density
- 8) Parking norms
- 9) Light and ventilation provisions
- 10) Use
- 11) All other provisions of the bye laws except items given in para "B" below shall not be compounded / regularized and shall have to be rectified by altering / demolition at the risk and cost of owner. Besides this any other action as per terms and conditions of lease and provisions of M.C.D .Act 1957, shall proceed.

**(B) Compoundable Items**

- i) Deviations in the coverage / FAR to the extent of 5 % of the permissible coverage / FAR or 13.5 sq. m. whichever is less in building(s) use premises, other than building(s) use premises where 100 % ground coverage and fixed height is allowed as per Architectural control forming part of comprehensive schemes like district center, Community Centers, Cluster Court housing etc. may be compounded after levying penalty at the following Rates:

**Rates for compounding excess coverage / floor area :**

A one time compounding fee equivalent to the land rates in the concerned locality applicable at the time of the application for compounding.

**ii) For excess coverage / FAR for above 5%**

Any excess coverage above 5% of permissible FAR or 13.5 sq. m which ever is less would be liable to be demolished to that extent.

**iii) Compounding of set back Infringements**

The infringements of the set backs maximum to the extent of 30 cm. (1ft) may be compounded by way of levying compounding fee at the following rates:

Infringements	Residential buildings
upto 15 cm (6 inch)	Rs. 500 per sq. m. of area infringing the set back
Above 15 cm upto 30 cm (6 to 12 inches)	Rs. 1,000 per sq. m of area infringing the set back

**IV) Construction carried out without a valid permit:**

If a building or part thereof has been constructed unauthorisedly i.e. without obtaining the requisite Building Permit from the authority as required under

Clause 6.1 & 6.7.1 of the Building Bye laws, the same shall be compounded at the following rates, provided the building or part thereof so constructed otherwise conforms to the provisions contained in the Building Bye laws and Master / Zonal plan regulations. For this party shall have to submit the request for building permit in the prescribed procedure.

**Rates:**

(a) Rs. 25/ per sq.m. of the covered area constructed unauthorisedly ;

The above rate shall apply to the buildings as categorized below:

Residential buildings up to 500 sq.m. plot size.

All Govt., Public & Semi Public and utility building.

Religious, Institutional, and Educational Buildings.

(b) Rs. 100/- per sq.m. of the covered area constructed unauthorisedly

Residential Buildings above 500 sq.m. plot size, Group Housing & Guest Houses.

Industrial Buildings

Storage buildings (under ground or above ground)

Hazardous Buildings

(c) Rs. 500 per sq.m. of covered area constructed unauthorisedly ;

Commercial & business buildings (offices, Hotels, shops, etc.)

Cinema & theater Building.

Petrol Pumps (Filling / Service stations)

**Note :-**

- (1) The buildings not covered specifically under the above categories, shall be compounded as decided by the authority, considering the merit of each individual case.
- (2) Items which are exempted from the calculations of the coverage and F.A.R. e.g. Cup-boards, canopy, watchman cabins etc. but constructed unauthorisedly without obtaining prior permission from the authority, but within the permissible limits shall also be compounded / regularized at the rate prescribed above.

**(ii) Deviations of the building Bye laws other than as specified in (A) ( Non-Compoundable)**

Deviations up to the maximum extent of 10% from the maximum / minimum prescribed limit ( as prescribed by the building bye laws) shall be compounded at the following rates:-

- a) In case of deviations of areas of various components of the buildings, the rate of penalty will be **at the rate of Rs. 10/- per 1 % of deviation.**
- b) For deviations in terms of height the penalty shall be **at the rate of Rs. 10/- per 1 % of deviation for every 10 sq.m. or part there of** the effected area.

- c) Deviations from the prescribed limit of width, length, penalty shall be at **the rate of Rs. 10/- per 1 % of the deviation for every 10 sq.m. or part thereof** the effected area.

**Note:** - (1) Notwithstanding the provisions above no penalty shall be levied for the first 3 % of deviation but in case the deviation limit exceed 3 % penalty shall be levied at the above rates for the total deviation upto 10%.

(2). The penalties of the above rates as given in (ii) a), b) & c) shall be charged for each deviation and for every component of the building separately.

d) In case of increase in size of canopy in front open space from the prescribed limits of byelaws, the same shall be charged **at the rate of Rs. 20/- per sq.m.**

e) End walls upto 0.9 m in width in terrace type construction, constructed purely as an architectural feature ----- **Rs. 10 each.**

f) Enclosing of front Balcony by Jali wall, which is being used as a part of staircase ----- **Rs. 150/ -per sq.m.**

g) (1) An open Urinal having wall upto 1.7.m height ----- **No penalty**

(2) water storage tank over open urinal with walls upto 1.70m in meter.-  
----No penalty if sanctioned . **If not sanctioned Rs. 50 /- each.**

h) All roof projections beyond permissible limit of bye laws as specified shall be counted towards FAR calculations if otherwise the same do not infringe upon any other bye laws.

i) Plinth steps in setback portion -----**Rs. 25/- each**

j) Extra slab in mummy constructed without sanction shall be compounded at the rate given in (B) (Compoundable item) provided it does not infringe upon the provision of any other bye-laws.

k) Partitions walls provided without sanction at any floor if the same are not infringing upon the provisions of any other bye -laws ---- **Rs. 15 per sq.m. of the surface area of the wall i.e (length x height)**

m) Projection on public land - -----**Not permitted.**

## 11.0 PUBLIC HELP LINE

### 11.1 Complaints:

Public is welcomed to lodge complaint against any official in case of inaction or harassment with the following officials.

- (1) Addl. Commissioner (Engg)
- (2) E -In - Chief
- (3) Chief Engineers

- (4) All Deputy Commissioners of the Zones
- (5) All the Superintending Engineers of the Zones or Superintending Engineers (B) HQ
- (6) All Executive Engineer (Bldg.) of the Zones or Executive Engineer (Bldg.) HQ.

### 11.2 Repairs to existing buildings:

No building permit is necessary for repair. No notice and building permit is necessary for the following alterations, which do not otherwise violate any provisions regarding general building requirements, structural stability and fire safety requirement, of the Bye-laws.

- a) Plastering and patch repairs
- b) Re-roofing or renewal of roof including roof of intermediate floor at the same height.
- c) Flooring and re-flooring
- d) Opening and closing windows, ventilators and doors not opening towards other's property.
- e) Replacing fallen bricks, stones, pillars, beams etc.
- f) Construction or re-construction of sunshade, not more than 75 cm in width within ones own land and not overhanging over a public street.
- g) Construction or re-construction of parapet exceeding 1 m and not more than 1.5m in height and also Construction or re-construction of boundary walls as permissible under these bye laws
- h) Reconstruction of portions of building damaged by storm, rains, fire, earthquake, or any other natural calamity to the same extent and specification as existing prior to damage, provided the use conforms to provisions of Master Plan.
- i) White-washing, Painting etc. including erection of false ceiling in any floor at the permissible clear height provided the false ceiling in no way can be put to use as a loft /mezzanine etc.
- j) Erection or re-erections of internal partitions provided the same are within the purview of bye-laws.

### 11.3 Facility for issuing attested copies of documents:

Sanction Building Plan, Completion Certificate etc. are very important documents and are required by public for permanent use. Sometimes public misplaces these documents. Municipal Corporation of Delhi extends facility of issuing attested copies of these documents as per procedure given below: -

The actual owner of the property who desires to obtain a certified copy of any document can submit an application on plain paper affixed with 40 Paise (non-judicial) court stamp in the office, where the original documents are kept in record. The record of building files is normally kept in the office from where the plans were sanctioned. Attested copies will be issued at the following rate: -

- (1) For ordinary copies of Building Plan for which tracing has to be prepared:
  - (i) Rs.200/- per sq. ft (1st copy).
  - (ii) Rs. 100/- per sq. ft for subsequent copies.

(2) Where the person /applicant/ owner of the property presents an exact copy of the Building Plan or document of the Municipal Corporation of Delhi:

- (i) Rs. 80/- per plan / document ( 1<sup>st</sup> copy )
- (ii) Rs. 50/- per plan for subsequent copy

In addition to above 75 Paise Court fee stamp is to be affixed on all the desired documents.

## **12. MISCELLANEOUS**

No person shall be entertained other than the owner and duly appointed Architect / Engineer / Supervisor or an authorized person having authority letter in writing from the owner. So, the owners / applicants are advised to refrain from deputing unauthorized person to unnecessarily remain on visiting the office which serves little constructive purpose.

**APPENDIXE**

**&**

**ANNEXURE**

**FORM FOR APPLICATION TO ERECT, RE-ERECT OR TO MAKE MATERIAL ALTERATION IN ANY PLACE IN A BUILDING**

To  
The Commissioner,  
Municipal Corporation of Delhi,  
Delhi

Sir,

I hereby give notice that I intend to erect/re-erect/ demolish or make alteration in the building number \_\_\_\_\_ or to \_\_\_\_\_ on / in Plot No \_\_\_\_\_ Block No \_\_\_\_\_ House No \_\_\_\_\_ situated at \_\_\_\_\_ Scheme \_\_\_\_\_ and in accordance with the Building Bye-law of Delhi, Bye-Law No. \_\_\_\_\_ and I forward herewith, the following plans and specification duly signed by me and \_\_\_\_\_ (name in block letters), the licenced Architect/Engineer/Supervisor/Group-Licence No. \_\_\_\_\_ who have prepared the plans, designs etc. and who will supervise its erection and a copy of other statements/ document (as applicable):

1. Site plan
2. Building Plan
3. Service Plan
4. General Specifications (in attached form)
5. Ownership Title
6. Attested copy of receipt of payment of application form
7. Other document, as required

I request that the construction may be approved and permission accorded to me to execute the work.

Signature of the Owners \_\_\_\_\_

Name of owner(s) \_\_\_\_\_  
(In block letters)

Address of the Owner(s) \_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

**Appendix -A**  
**FORM : II**  
 (Bye Law No. 6.2.6)

**FORM FOR SPECIFICATIONS OF PROPOSED BUILDING**

(a) The purpose (Residence, Office, Godown, Restaurant, Hotel, Dharamshala, School, Hostel Cinema, Shop, Factory, Stable) for which it is intended to be used -----  
 -----.

(b) Details of coverage on respective floors are given below: -

Existing (Sqm.)	Proposed (Sqm.)	Total (Sqm.)
--------------------	--------------------	-----------------

1. Basement Floor -----
2. Ground floor -----
3. Mezzanine floor -----
4. First Floor-----
5. Second Floor-----
6. Third Floor-----
- 7.-----
- 8.-----
- 9.-----
- 10.-----

(c) Approximate number of inhabitants  
 proposed to be accommodated.-----

(d) The number of Latrines, urinals, Kitchens, Baths, W.C: -----  
 -----

(e) The source of water to be used in the construction. -----

(f) Distance from public sewer. -----

(g) The materials to be used in construction  
 Walls/ Columns/Foundations -----  
 Roof -----  
 Floors -----

**APPENDIX B**  
(Bye-law No. 6.2.7)

**FOR SUPERVISION - I**

To  
The Commissioner  
Municipal Corporation of Delhi  
Delhi

Sir,

I hereby certify that erection/ re-erection demolition or material alteration in/of Building No. \_\_\_\_\_ on /in \_\_\_\_\_ Plot No. \_\_\_\_\_ in Block No. \_\_\_\_\_ situated at \_\_\_\_\_ scheme \_\_\_\_\_ shall be carried out under my supervision and I certify that all the materials (Type & Grade) and the workmanship of the work shall be generally in accordance with general specification submitted along with; and that the work shall be carried out in accordance with the sanctioned plans.

Signature of licensed Architect/Engineer/  
Supervisor/Group \_\_\_\_\_

Name of licensed Architect/Engineer/  
Supervisor/Group \_\_\_\_\_  
(In block letters)

License No of licensed Architect/Engineer/  
Supervisor/Group \_\_\_\_\_

Address of licensed Architect/Engineer/  
Supervisor/Group \_\_\_\_\_

Dated: \_\_\_\_\_

**Appendix –'B'**  
(Bye-law No. 6.2.8)

**Form for Supervision -II**

To

The Commissioner  
Municipal Corporation of Delhi  
Delhi

Sir,

I hereby certify that the drainage/sanitary and water supply works shall be executed by me or under my strict supervision for the work of erection/ re-erection/ demolition or material alteration of the proposal for which building permit application in respect of Building No. \_\_\_\_\_ on /in \_\_\_\_\_ Plot No. \_\_\_\_\_ in Block No. \_\_\_\_\_ situated in the \_\_\_\_\_ scheme \_\_\_\_\_ and I certify that all the materials and workmanship of the work shall be in accordance with the standard laid down by I.S.I. and the provisions of building bye-laws, and the work shall be carried out in accordance with the sanctioned plans.

Signature of licensed Engineer/Plumber -----

Name of licensed Engineer/Plumber -----  
(In block letters)

License No of licensed Engineer/Plumber-----

Address of licensed Engineer/Plumber/ /Supervisor  
\_\_\_\_\_

Dated: \_\_\_\_\_

**Appendix -'B'**  
(Bye-law No. 7.2.1)

**FORM - III**

**FORM FOR NOTICE FOR COMMENCEMENT OF WORK**

To

The Commissioner  
Municipal Corporation of Delhi  
Delhi

Sir,

I hereby certify that the erection/ re-erection/ demolition or material alteration on /in Plot No \_\_\_\_\_ in Block No. \_\_\_\_\_ situated at \_\_\_\_\_ scheme, will be commenced on \_\_\_\_\_ as per your permission vide office communication No. \_\_\_\_\_ dated \_\_\_\_\_ under the supervision of \_\_\_\_\_ licensed Architect /Engineer/ Supervisor/Group, licence No. \_\_\_\_\_ and in accordance with the sanctioned plans.

Signature of owner

Name of owner  
(In block letters) \_\_\_\_\_

Address of owner \_\_\_\_\_

Dated: \_\_\_\_\_

**Appendix -'B-1'**  
(Bye-law No. 7.2.2)

**Information for Intimation of Completion of Work up to Plinth Level**

To  
The Commissioner  
Municipal Corporation of Delhi  
Delhi

Sir,

The construction up to plinth/column up to plinth level has been completed in building No. \_\_\_\_\_ on/in Plot No. -----scheme No.----- Road / Street ----- dated ----- under my supervision and in accordance with the sanctioned plan.

Yours faithfully,

Signature of licensed  
Architect/Engineer/Supervisor  
Name  
(In block letters) \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

**Appendix B-2**  
(Bye-Law No. 7.2.2)

**INSPECTION REPORT**

I ----- working as a ----- with -----  
have carried out the inspection of Building No. ----- on/in Plot No. -----  
-----Scheme

No ----- Road/Street -----Ward -----in accordance with your  
permission No. ----- dated -----. The following deviation from the  
sanctioned plans have been noticed which are against the proviso of Master  
Plan/Bye-Laws and are of non-compoundable nature.

Description of deviations noticed -----  
-----  
-----  
-----

You may not proceed with further work till such time the deviations made are  
rectified and construction brought in conformity to sanction plans.

Yours faithfully,

For -----

-----  
Commissioner

Office No -----  
Office Stamp -----  
Date -----

**Appendix - 'E'**  
Form I  
(Bye Law No. 6.7.1)

**MUNICIPAL CORPORATION OF DELHI**

File No. \_\_\_\_\_

Dated \_\_\_\_\_

To,

-----  
-----  
-----

Subject: - Sanction u/s 336 of the Municipal Corporation of Delhi Act

Dear Sir/Madam,

With reference to your application dated \_\_\_\_\_ for the grant of sanction to erect/re-erect/ add to /alteration in the building to carry out the development specified in the said application relating to plot No \_\_\_\_\_ Block No \_\_\_\_\_ Situated in/ at \_\_\_\_\_. I have to state that the same has been sanctioned on ----- by MCD subject to the following conditions and corrections made on the plans:

1. The plans are valid up to \_\_\_\_\_ day \_\_\_\_\_ months \_\_\_\_\_ Year \_\_\_\_\_
2. The construction will be undertaken as per sanctioned plan only and no deviation from the bye-laws will be permitted without prior sanction. Any deviation done against the bye-laws is liable to be demolished and the supervising architect engaged on the job will run the risk of having licenced cancelled.
3. Violation of building bye-laws will not be compounded.
4. It will be the duty of the owner of the plot and the architect preparing the plans to ensure that the sanctioned plans are as per prevalent Building Bye-laws. If any infringement of bye-laws remain unnoticed, the M.C.D. reserves the right to amend the plans as and when infringement come to the notice and M.C.D. will stand indemnified against any claim on this account.
5. A notice in writing shall be sent to M.C.D. before commencement of the erection of the building as per bye-laws. Similar notice will be sent to M.C.D. when the building has reached up to plinth level.
6. The party shall not occupy or permit to occupy the building or use or permit to use the building or any part thereof affected by any such work until occupancy certificate is issued by the Authority.
7. M.C.D. will stand indemnified and kept harmless from all proceedings in court and before other authorities of all expenses/losses/claims which the M.C.D. may incur or

become liable to pay as a result or in consequences, of the sanction accorded by it to these building plans.

8. The door and window leaves shall be fixed in such a way that they shall not, when open, project on any street.
9. The party will not construct and use building in contravention of plans sanctioned by MCD.
10. The building shall not be constructed within minimum distance as specified in Indian Electricity rules from voltage lines running on side of the site.
11. The land left open on consequences of enforcement of the set back rule shall form part of the public street.
12. The sanction will be void-abinitio if auxiliary conditions mentioned above are not complied.

Yours faithfully,

For Commissioner,  
Municipal Corporation of Delhi

Encl: Set of sanction plan

Form No. II

**FOR REFUSAL OF SANCTION**

To  
-----  
-----  
-----

File No \_\_\_\_\_

Dated: \_\_\_\_\_

Sir,

With reference to your application No \_\_\_\_\_ dated \_\_\_\_\_ for the grant of sanction for the erection of building/execution of work in House No. \_\_\_\_\_ Plot No \_\_\_\_\_ Block No \_\_\_\_\_ Scheme \_\_\_\_\_ Situated at \_\_\_\_\_

I have to inform you that the sanction has been refused on ----- on the following grounds.

- 1
- 2
- 3
- 4
- 5

Yours Faithfully

For Commissioner  
Municipal Corporation of Delhi

**Appendix 'E'**  
**FORM -III**  
(Bye-law No. 6.8)

MUNICIPAL CORPORATION OF DELHI

FORM OF REVALIDATION

File No. \_\_\_\_\_ Dated: \_\_\_\_\_

To

Shri /Madam \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Subject: - Revalidation of Building Plans relating to plot No.** \_\_\_\_\_  
**Block No.** \_\_\_\_\_ **Scheme** \_\_\_\_\_

Dear Sir / Madam,

- 1 With reference to your application dated \_\_\_\_\_ on the subject cited above, I am directed to inform you that your building plan which had been sanctioned on \_\_\_\_\_ vide file No \_\_\_\_\_ have been revalidated up to \_\_\_\_\_
2. Original sanctioned plan submitted by you is also returned herewith.

Yours Faithfully,

For COMMISSIONER  
MUNICIPAL CORPORATION OF DELHI

Encl : As above.

**Form of Notice of Completion**

(To be submitted along with fee of Rs. 20/- for notice of completion and other relevant documents).

To

The Commissioner  
Municipal Corporation of Delhi,  
Delhi.

Dear Sir,

I / We hereby give notice that I / We have completed the erection of building / execution of the works in plot No \_\_\_\_\_ Block No \_\_\_\_\_ Scheme \_\_\_\_\_ situated at \_\_\_\_\_ in pursuance of the sanction granted by the Authority vide file No. \_\_\_\_\_ dated \_\_\_\_\_

2. Permission to occupy or use the building may be granted.

Yours Faithfully,  
Signature of owner \_\_\_\_\_

Name of owner \_\_\_\_\_  
(In Block letters)

Address of the owner \_\_\_\_\_  
\_\_\_\_\_

Dated: \_\_\_\_\_

Encl : As above

**APPENDIX G**  
(Bye-Laws 7.5.2)

**Form for certificate of Licenced Architect/Engineer/Supervisor/Group**  
(To be submitted along with the notice of completion)

The Commissioner  
Municipal Corporation of Delhi  
Delhi.

Sir,

We hereby certify that the erection/re-erection or material alteration in/at building No. ----- on/in Plot -----Block No ----- situated at ----- Scheme has been supervised by us and has been completed on ----- According to the plans sanctioned, vide office communication No ----- Dated -----The work has been completed to our satisfaction, the workmanship and all the materials (type and grade)) have been used strictly in accordance with general and detailed specifications. All the drainage/sanitary/water supply work has been executed under) our supervision and as per building bye-laws/ sanctioned plan, No provision of the Building Bye-laws and conditions prescribed or orders issued there under have been transgressed in the course of the work. The building is fit for use for which it has been erected/re-elected or altered/constructed and enlarged.

2. Certificates:

- (i) Certified that the buildings (s) has been constructed according to the Sanctioned Plan and structural design (one set of structural drawings as executed is enclosed) which incorporate the provisions of structural safety as specified in relevant prevailing IS Codes / Standards/Guidelines,
- (ii) Further certified that water harvesting as well as waste water re-cycling systems have been provided as per the sanctioned building plan.
- (iii) It is also certified that construction has been one under our supervision and guidance and adheres to the drawings submitted and the records of supervision have been maintained by us.

3. Permission to occupy or use the building may be granted.

4. Any subsequent change from completion drawings will be the responsibility of the owner(s).

- |  |   |
|--|---|
| a) Signature of the owner<br>with date<br>Name in Block letters<br>Address ----- | b) Signature of the Architect<br>with date<br>Name in Block letter, Licence<br>No.<br>Address ----- |
| c) Signature of the Structural Engineer<br>with date for certificate (i) above   | d) Signature of Supervisor/<br>Group/Engineer with date   |

**Appendix - H**  
**FORM -I**  
 (Bye-law No. 7.6)

**MUNICIPAL CORPORATION OF DELHI**

File No. \_\_\_\_\_

Dated : \_\_\_\_\_

Plan No. \_\_\_\_\_

Shri/ Miss/Smt. \_\_\_\_\_

\_\_\_\_\_

**COMPLETION-CUM-OCCUPANCY CER TIFICATE**

With reference to your notice of completion dated-----I hereby certify that building, as per description below certified plan at Plot No-----Block No -----Scheme -----Whose plans were sanctioned vide No----- has been inspected with reference to building bye-law in respect of the structural safety, fire safety, hygienic and sanitary conditions inside and in the surroundings and is declared fit for occupation and release of regular water and electricity connection. The description of the construction work completed is given as under:

**DESCRIPTION OF CONSTRUCTION WORK BLOCK WISE/BUILDING WISE**

1. Block/Building No.
2. Details of completed work floor wise.

For  
 Commissioner  
 Municipal Corporation of Delhi.

**Appendix – H**  
**FORM -II**  
(Bye-law No. 7.6)

**Form of Rejection or Compliance In Respect Of Occupancy Certificate**

File No. \_\_\_\_\_

Dated: \_\_\_\_\_

Sh./Smt. \_\_\_\_\_

\_\_\_\_\_

**Subject: Occupancy Certificate in respect of Plot No \_\_\_\_\_ Block No. \_\_\_\_\_  
Scheme \_\_\_\_\_**

Dear Sir / Madam,

- 1) With reference to your letter dated \_\_\_\_\_
- 2) With reference to your notice of completion dated \_\_\_\_\_
- 3) In continuation of this office letter of even No. \_\_\_\_\_ dated on the subject noted above, I am directed to inform you that your case has been examined and occupancy certificate is rejected for the reasons as given below :-

I am directed to request you to comply with the following: -

**(a) SUBMISSION OF THE FOLLOWING DOCUMENTS**

- (1)
- (2)
- (3)
- (4)
- (5)

**(b) RECTIFICATION OF THE FOLLOWING DEVIATIONS**

- (1)
- (2)
- (3)
- (4)
- (5)
- (6)

**(c) The following item can be regularized on payment of compounding fee noted against each**

Sl. No	Item	Rate of compounding Fee	Amount of C. Fee in Rs.
1.			
2.			
3.			

4.			
5.			
6.			
7.			
8.			
9.			

Total Compounding Fee Rs. -----

2. Cheques will not be accepted and the cash payment will be accepted between 10A.M. and 2 P.M. on all working days.
3. You are, therefore requested to do the needful by ----- failing which your request for the issue of Occupancy Certificate will be rejected without any further reference to you and necessary action under the law will be initiated.
4. Please quote your file number while sending the reply of the letters

Yours Faithfully

For Commissioner  
Municipal Corporation of Delhi

**APPENDIX - 'M'**

(To be submitted on Non-Judicial Stamp Paper Rs. 10/- duly attested by Oath Commissioner)

**AFFIDAVIT/ UNDERTAKING**

That I /We have submitted building plans for construction of building on Plot No \_\_\_\_\_ Block No \_\_\_\_\_ located at \_\_\_\_\_ to the M.C.D. under Section 333 & 334 of the D.M.C. Act 1957, for favour of sanction.

That I /We hereby give an undertaking that during the course of construction of my/our building as per sanction given by the M.C.D. I/ We shall not stack building material/Mulba on the MCD land/road

That in case I /We are found stacking the building material, Mulba on MCD land/road then the Authority shall be at a liberty to charge the stacking charges @ Rs. 2/- per sqm. besides any other action which the MCD might like to take as per the rules including payment of the penalty of Rs. 500/-

Verification

DEPONENT

I /we the above named deponent do hereby affirm and verify that I/We have voluntarily made the above affidavit and its contents are true to best of my knowledge. Verified at Delhi on this day ----- of -----

DEPONENT

**APPENDIX -'N'**

( On Rs. 100/- Non Judicial Stamp Paper)

**(For Basement)****INDEMINITY BOND**

This Indemnity Bond is executed by Shri/ Smt. \_\_\_\_\_  
 \_\_\_\_\_ S/O, D/O, W/O Shri/Smt. \_\_\_\_\_  
 \_\_\_\_\_ R/O \_\_\_\_\_  
 in favour of Municipal Corporation of Delhi (Here-in-after called the Corporation).

Whereas the executant has submitted to the Corporation plans for sanction of basement over plot No \_\_\_\_\_ under the provisions of the M.C.D. Act and the by-laws made thereunder: -

And whereas the Corporation authority has agreed to sanction the aforesaid construction subject to the conditions that the owner shall indemnify the Corporation in the event of any loss or damage being cause to the adjoining building on account of the construction of the said basement either at the time of digging of its foundations or in the course of its construction or even thereafter and also against any claim of any concern thereto.

And whereas the executant has agreed to execute an indemnity bond to the above affect and also to abide by the terms imposed by the concerned authority to the grant of sanction for construction of the basement.

Now this deed witnesseth:

1. That in consideration of the sanction of the plans of the owner for construction of the basement the executant undertakes that he/ she shall at all times keep Corporation harmless and free from any liability, loss or damages / flowing from any injury or damage caused to the adjoining built-up properties or to any person as a consequence of the construction of at the time of digging of its foundations or during the course of its construction or at any time thereafter.
2. The owner agreed and undertakes that in the event of any claim being made by any person or persons against the Corporation either in respect of the sanction granted by the Corporation to the owner for the construction of basement or in respect of the construction or manner of construction of the basement by the owner or the consequences flowing from the said sanction the executant shall be responsible and liable and not the Corporation.
3. The executant agrees and undertake to indemnify the concerned authority fully in respect of any amount which the Corporation may be required to pay to any person either by way of compensation or damages or on any other account as a result of any claim or suit or any other proceedings concerning the sanctioning of the construction of the basement of the making thereof and also in respect of the costs and expenses which the Corporation may incur on defending any action.
4. Without prejudice to the above undertaking the executant hereby binds itself to pay to the Corporation to the full extent any amount which the concerned authority may be

required to pay to any person in connection with, relating to or concerning the sanctioning of the basement or the making thereof.

5. The owner further agrees and undertakes that this bond shall remain in full force and effect till the executant faithfully observes / performs the undertaking herein before contained.

In witness whereof the executant above named has signed this bond on this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_

**Indemnifire**

Witness :

(Signatures) \_\_\_\_\_

1 Name \_\_\_\_\_

Full Address \_\_\_\_\_

(Signatures) \_\_\_\_\_

2 Name \_\_\_\_\_

Full Address \_\_\_\_\_

**ANNEXURE 'A'**

**STRUCTURAL SAFETY CERTIFICATE IN RESPECT OF PLOT NO. \_\_\_\_\_  
BLOCK NO. \_\_\_\_\_ SITUATED AT \_\_\_\_\_.**

1. Certified that the building plans submitted for approval satisfy the safety requirements as stipulated under clause 18 of Building Bye-laws, 1983 and the information given therein is factually correct to the best of our knowledge and understanding.
2. It is also certified that the structural design including safety from natural hazards based on soil conditions has been duly incorporated in the design of the building and these provisions shall be adhere 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 Structural Engineer with date (As defined in NBC of India) Name in Block letters _____ _____ Address _____
---	--	---

**ANNEXURE 'B'**

**WATER HARVESTING CERTIFICATE IN RESPECT OF PLOT NO. \_\_\_\_\_**  
**BLOCK NO. \_\_\_\_\_ SITUATED AT \_\_\_\_\_.**

Certified that the building plans submitted for approval satisfy the water harvesting requirements as well as minimum anticipated discharge of waste water as stipulated under clause 22.4.1, 22.4.2 and the information given therein is factually correct to the best of our knowledge and understanding.

Signature of the owner with date  
Name in Block letters \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Signature of Architect with date  
Name in Block letters \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

**ANNEXURE 'C'**

**NO NUISANCE/ MULBA REMOVAL CERTIFICATE IN RESPECT OF PLOT NO. \_\_\_\_\_ BLOCK NO. \_\_\_\_\_ SITUATED AT \_\_\_\_\_.**

1. Certified that the mulba during the construction will be removed on weekly basis. If the same is not done, in that case local body shall remove the mulba and the cost shall be born by me/us.
2. Certified that during construction I/we shall properly screen the construction site off the main road by means of erecting a screen wall not less than 8 ft, in height from the ground level which shall be painted to avoid unpleasant look from the road side. In addition to this, a net or some other protective material shall be hoisted at the façade of the building to ensure that any falling material remains within the protected area.
3. Certified that noise related activities would not be taken up for construction at night after 10 p.m.

Signature of the owner with date  
Name in Block letters \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Signature of Architect with date  
Name in Block letters \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_

**ANNEXURE 'D'**

Schedule -II

Original/Duplicate/Triplicate

GOVERNMENT OF INDIA  
MINISTRY OF URBAN DEVELOPMENT  
NATIONAL BUILDING ORGANISATION

Name: Municipal Corporation: DELHI

NOTE: For item 1 and 2 please fill in the appropriate code in the respective blocks

1	Nature of Construction	New Construction	Addition to existing Building	
2	Type of construction			
	*Code	<input style="width: 50px; height: 20px;" type="text"/>	Total Plinth Area Sqm.	
	**Code	<input style="width: 50px; height: 20px;" type="text"/>	Total Floor area Sqm.	
3	Number of storey in the Building	<input style="width: 100%; height: 20px;" type="text"/>		
4	Number & Type of Dwelling units	1 Room unit	2 Room unit	3 Room unit
		<input style="width: 50px; height: 20px;" type="text"/>	<input style="width: 50px; height: 20px;" type="text"/>	<input style="width: 50px; height: 20px;" type="text"/>
		<input style="width: 50px; height: 20px;" type="text"/>	<input style="width: 50px; height: 20px;" type="text"/>	<input style="width: 50px; height: 20px;" type="text"/>

New Construction/ Addition to Existing Buildings resulting in dwellings

**Particulars for the following items should be given while applying for occupancy certificate only**

5 Estimated construction cost (if available) Rs. \_\_\_\_\_

6 Number and date of issue of Authorisation Certificate

7 Date of commencement of construction \_\_\_\_\_

8 Date of completion of construction \_\_\_\_\_

Date: \_\_\_\_\_ Signature of applicant

Name and address of applicant in Block letters:

\_\_\_\_\_

\_\_\_\_\_

(For Office Use only)

Reference number of application \_\_\_\_\_

Number and date of issue of Authorisation/Occupancy Certificate

-----

\* Total plinth area means the sum total of plinth area of all the floors in case the building has more than one floor.

\*\* (a) (I) Dwelling (I) Other residential places (2) (b) Industrial

(3) (c) Commercial (4) (d) Institutional (5) (b) Others

**ANNEXURE 'E'**

**AFFIDAVIT/ UNDERTAKING**

(To be submitted on Non-Judicial Stamp Paper Rs. 10/- duly attested by Oath Commissioner)

**AFFIDAVIT/ UNDERTAKING**

Affidavit of Sh. \_\_\_\_\_ S/o Sh. \_\_\_\_\_ aged \_\_\_\_\_ R/o House on Plot No. \_\_\_\_\_ Block No \_\_\_\_\_ situated at \_\_\_\_\_ do hereby solemnly affirm and declare as under:

That I /We have submitted building plans for construction of building on Plot No \_\_\_\_\_ Block No \_\_\_\_\_ located at \_\_\_\_\_ to the M.C.D. under Section 333 & 334 of the D.M.C. Act 1957, for favour of sanction.

That I /We hereby have not entered into a collaboration agreement with any one for construction of the aforementioned building.

DEPONENT

Verification

I /we the above named deponent do hereby affirm and verify that I/We have voluntarily made the above affidavit and its contents are true to best of my knowledge. Verified at Delhi on this day ----- of -----

DEPONENT

**ANNEXURE 'E-I'**

**AFFIDAVIT/ UNDERTAKING**

(To be submitted on Non-Judicial Stamp Paper Rs. 10/- duly attested by Oath Commissioner)

**AFFIDAVIT/ UNDERTAKING**

Affidavit of Sh. \_\_\_\_\_ S/o Sh. \_\_\_\_\_ aged \_\_\_\_\_ R/o House on Plot No. \_\_\_\_\_ Block No \_\_\_\_\_ situated at \_\_\_\_\_ do hereby solemnly affirm and declare as under:

That I /We have submitted building plans for construction of building on Plot No \_\_\_\_\_ Block No \_\_\_\_\_ located at \_\_\_\_\_ to the M.C.D. under Section 333 & 334 of the D.M.C. Act 1957, for favour of sanction.

That I /We hereby have entered into a collaboration agreement with Sh. \_\_\_\_\_ R/o \_\_\_\_\_ for construction of the aforementioned building.

That I/We and Sh. \_\_\_\_\_ collaborator jointly hereby give an undertaking that no deviations in contravention of the sanctioned plan and the stipulated conditions shall be carried out by us during construction and in case of any contravention both can be held equally responsible.

DEPONENT

Verification

I /we the above named deponent do hereby affirm and verify that I/We have voluntarily made the above affidavit and its contents are true to best of my knowledge. Verified at Delhi on this day ----- of -----

DEPONENT

**ANNEXURE 'F'**

(To be submitted on Non-Judicial Stamp Paper Rs. 10/- duly attested by Oath Commissioner)

**AFFIDAVIT/ UNDERTAKING**

Affidavit of Sh. \_\_\_\_\_ S/o Sh. \_\_\_\_\_ aged \_\_\_\_\_ R/o House on Plot No. \_\_\_\_\_ Block No \_\_\_\_\_ situated at \_\_\_\_\_ do hereby solemnly affirm and declare as under:

That I /We have submitted building plans for construction of building on Plot No \_\_\_\_\_ Block No \_\_\_\_\_ located at \_\_\_\_\_ to the M.C.D. under Section 333 & 334 of the D.M.C. Act 1957, for favour of sanction.

That I/We hereby give an undertaking that no extra dwelling unit shall be created by me/us in contravention of the sanctioned plan and the stipulated conditions.

That I/We hereby give an undertaking that no extra dwelling unit shall be created by me/us in contravention of the sanctioned plan and the stipulated conditions. Whenever services of the area, where building is located are upgraded to the satisfaction of the authorities, I/we shall seek approval of the authority for creating the extra dwelling unit as permitted under the Building Bye-laws /MPD-2001.

DEPONENT

Verification

I /we the above named deponent do hereby affirm and verify that I/We have voluntarily made the above affidavit and its contents are true to best of my knowledge. Verified at Delhi on this day ----- of -----

DEPONENT

**ANNEXURE 'G'**

Affidavit/undertaking of Architect Engineer/Supervisor/Group (as the case may be) on Rs.10/- Non-judicial Stamp paper to be Attested by Notary Public/Metropolitan Magistrate

**AFFIDAVIT-CUM-UNDERTAKING**

I, \_\_\_\_\_ son of \_\_\_\_\_ by profession ----- having office at \_\_\_\_\_ do hereby solemnly affirm and declare as under:

2. That I am an ----- by profession and duly registered with the ----- vide Registration No. \_\_\_\_\_.
3. That I have been engaged as an ----- for preparing the building plans and to supervise construction till its completion in respect of Plot No. \_\_\_\_\_ Block No. \_\_\_\_\_ situated at \_\_\_\_\_.
4. That I have prepared the building plans in respect of the aforesaid plot and supervised the construction of building on the said plot.
5. That the completion plans have been prepared after my personal inspection of the building and the plans are in conformity of the construction raised on the said plot.
6. That certain compounding deviations have been made in the building during construction for which I have calculated the compounding fee according to Building Bye-laws and policies of the Corporation as applicable on date and a statement showing detailed calculation for working out the compounding fee is enclosed herewith as part of this affidavit.
7. That there are no other deviations in the building of non-compounding nature.
8. That the ownership documents are in the shape of registered sale-deed/lease-deed in favour of the applicants and have been thoroughly examined and the ownership in favour of the applicant is in order.
9. That there is no encroachment on the municipal land/road/other property.
10. That the building/portion of the building for which completion certificate is being sought has not been occupied and put to use.
11. That nothing has been concealed and no mis-representation has been made while submitting the application for a completion certificate.
12. That in case anything contrary to the above is found or established at any stage, the MCD shall be at liberty to take any action as it may deem fit including cancellation of completion certificate so granted and debarring me for practicing in MCD, lodge a complaint under I.P.C for adopting fraudulent means to obtain a completion certificate under the Tatkal Scheme.
13. That the instructions/guidance contained in the office order No. \_\_\_\_\_ dated \_\_\_\_\_ have been carefully gone through which are acceptable to me and the application for completion certificate has accordingly made.

Deponent

Verification:

I, the above named deponent, do hereby verify at Delhi/New Delhi on this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_\_ that contents of the above affidavit are true and correct to my knowledge and belief and nothing is false therein or has been concealed there from.

Deponent

**ANNEXURE-‘H’**

Affidavit of Applicant/Owner on Rs.10/- Non-Judicial Stamp Paper to be attested by Notary Public/Metropolitan Magistrate.

**AFFIDAVIT-CUM-UNDERTAKING**

I/we \_\_\_\_\_ son/son of \_\_\_\_\_ resident/s of \_\_\_\_\_  
do hereby solemnly affirm and declare as under:

2. That I/We am/are the only owner/owners/lessee/lessees of Plot No. \_\_\_\_\_ Block No. \_\_\_\_\_ situated at \_\_\_\_\_ and there are no other owners/lessees whatsoever in respect thereof.
3. That I/We have engaged Shri \_\_\_\_\_, Registration No. \_\_\_\_\_ registered with \_\_\_\_\_ having his office at \_\_\_\_\_ as an Architect/Engineer/Supervisor/Group (as the case may be) for preparing the building plans and to supervise construction till its completion in respect of the aforesaid plot.
4. That I/We never dispensed with the services of the Architect / Engineer / Supervisor / Group (as the case may be) above named at any stage till actual completion of the construction/ I/We dispensed with the services of the Architect / Engineer / Supervisor / Group (as the case may be) and informed the Municipal Corporation of Delhi within 48 hours the new name and address of the professional (*Strike out which is not applicable*).
5. That the ownership documents are in the shape of sale-deed/lease-deed in my/our favour and there is no dispute/discrepancy from law point of view and the plot is free from all sorts of encumbrances.
6. That the building constructed has not been occupied or put to any use.
7. That there is no encroachment on municipal land/road/other property and road widths as shown in the layout plan are available at site.
8. That the construction raised is in conformity with the terms and conditions of lease-deed, which is still valid, and period of construction as per lease deed and the extension granted by the lessor is valid upto \_\_\_\_\_.
9. That the construction raised has been in conformity with the building plans sanctioned vide file No. \_\_\_\_\_ dated \_\_\_\_\_ and in accordance with the building bye-laws, 1983.
10. That nothing has been concealed and no mis-representation has been made while submitting the application for completion certificate.
11. That in case anything contrary to the above is found or established at any stage, the MCD shall be at liberty to take any action as it may deem fit including cancellation of completion certificate so granted including demolition/sealing of the premises.

12. That the instructions/guidance contained in the office order No. \_\_\_\_\_ dated \_\_\_\_\_ have been carefully gone through which are acceptable to me/us and the application is being made accordingly.
13. That I/we give solemn undertaking that I/we have raised the construction exactly in accordance with the sanctioned building plans and the Building Bye-laws, 1983. In case any deviation is found other than compoundable deviations for which necessary compounding fee has been deposited by me/us, apart from any other action, the total construction shall be deemed to be unauthorized and the MCD would be at liberty to demolish/seal the whole or any portion of the construction and I/we shall not claim any compensation, damage or loss on account thereof from the MCD or from any of its officer(s). This is in addition to any other action which may be taken by the MCD under the provisions of the DMC Act, 1957 (as amended till date) and the Building Bye-laws, 1983.

Deponent

Verification

I/we, the above named deponent(s), do hereby verify at Delhi/New Delhi on this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_ that contents of the above affidavit are true and correct to my/our knowledge and belief and nothing is false therein or has been concealed there from.

Deponent

## CHAPTER – II

### GENERAL BUILDING NORMS:

#### 1.0 FOR RESIDENTIAL PLOT - Plotted Housing & Group housing

As a result of Supreme Court Orders dated 12.12.2003, the stay granted on the implementation of the relaxed building norms dated 23<sup>rd</sup> July 1998 in the matter of News Items in the Hindustan Times AQFM Yamuna V/s Central Pollution Control Board and Anr. stands vacated so as to enable the authorities to sanction plans in the manner indicated in the letter dated 27<sup>th</sup> November 2001 of the Ministry of Urban Development & Poverty Alleviation. The building plans now shall be sanctioned as per the norms given below.

1.1 Colonies/areas where services are still to be upgraded.

#### A) RESIDENTIAL PLOT - Plotted Housing

##### Norms Applicable

Sr. No.	Area of the Plot (in sq.m.)	Max. Ground Coverage (%)	FAR	No. of dwelling units	Max. height (in Mtr.)
(1)	(2)	(3)	(4)	(5)	(6)
1.	Below 32	75	225	1	12.5
2.	Above 32 to 50	75	225	2	12.5
3.	Above 50 to 100	75	225	3	12.5
4.	Above 100 to 250	66.66	200	3	12.5
5.	Above 250 to 500	50	150	3 (4)	12.5
6.	Above 500 to 1000	40	120	5 (7)	12.5
7.	Above 1000 to 1500	33.33	100	5 (7)	12.5
8.	Above 1500 to 2250	33.33	100	7 (10)	12.5
9.	Above 2250 to 3000	33.33	100	9 (13)	12.5
10.	Above 3000 to 3750	33.33	100	11 (16)	12.5
11.	Above 3750	33.33	100	13 (19)	12.5

**N.B:-** The building plans shall be sanctioned as per above norms subject to furnishing of an undertaking by the applicant/owner that no extra dwelling unit shall be created.

2. Levy on the additional FAR to be allowed vide table above over the FAR allowed vide notification dated 15.5.95, excluding the basement and / or development charges shall be charged at the rate of Rs. 450 per sqm. or revised from time to time through Government orders.

##### Other Controls

- i) In case of residential plot above 250 sq. meter facing 24 m and above road, and **where already 3 storeys and a barsati was permitted** (as per density calculated in the sanctioned layout) (a) the FAR shall be increased by the

maximum ground floor coverage (b) maximum height shall be less than 15 m and (c) the number of dwelling shall be as given in the brackets .

- ii) In case of other residential plots above 250 sq. meters facing 24 mtrs and above road (a) the FAR shall be increased by the maximum ground floor coverage, (b) maximum height shall be 15 mtrs, and (c) *no additional units as given in the bracket, will be permitted.*

(iii) The mezzanine if constructed shall be counted in the FAR.

(iv) **Basement:**

(a) Basement in case of plotted development if constructed shall not be included in FAR.

(b) Basement area shall not exceed the ground floor coverage and shall be below the ground floor. Basement area may, however, be extended below the internal courtyard and shaft.

(v) Number of servant quarters shall be provided as per approved layout plan and construction to be done within the stipulated height. However, if the garage block space is merged with the main building, no separate servant quarter block or servant quarters, as part of main building shall be allowed. However, provision for a servant's room as part of the dwelling unit within the permissible coverage / FAR shall be allowed.

(vi) Each servant quarter shall comprise of one habitable room of area not less than 11 sqm. Floor area, exclusive of cooking verandah, bathroom and lavatory. The maximum size of servant quarter shall be 20 sqm.

(vii) **Parking:**

(a) **In respect of individual plot**, the calculation for parking space shall be based on the total permissible FAR of plot size above 200 sqm. After giving allowance of the parking space requirements for permissible FAR of a plot of 150 sqm, in size as per norms given in the table for parking space.

(b) **New plotted development scheme:** The parking area is to be calculated @ 1.33 ECS car space per 100 sqm. of total built up area permissible in the scheme and parking provision is to be made, in the layout plan partly by way of pool parking and partly in the individual plot.

(c) Parking requirement shall not be insisted upon in case of addition / alteration in the existing building forming part of approved layout plan.

(viii) **Density:**

For the purpose of density calculations the dwelling unit shall be considered to accommodate 4.8 persons and the servant quarter to accommodate 2.4 person.

(ix) In such areas, which prior to the establishment of MCD, were included within the jurisdiction of Delhi Municipal Committee, permissible plot coverage for plots not exceeding 167.2 sqm. (200 sq. yds.) Shall be as under:

- (a) Not exceeding 83.6 sqm. (100 sq. yds.) --- Maximum coverage 75 %
- (b) Above 83.6 sqm.(100 sq. yds.) and not exceeding 167.2 sqm. (200 sq.yds.) Maximum coverage 66.66 %.

However, in both cases it is subject to the condition that FAR and height as prescribed in MPD- 2001 is not violated.

- (x) (a) **Standard Plans** : There are number of standard building plans designed and approved by the Authority. Such plans shall continue to operate wherever applicable.
- (b) **Shop-cum-residential plots**: Where there is no approved standard plan and individual building plans on such plots were being sanctioned with 80 % ground coverage for shops and coverage as for residential development on first and upper floors, building plans shall continue to be sanctioned with maximum 80 % ground coverage for shops without a mezzanine floor and with residential coverage on the upper floors subject to the condition that while calculating the FAR the provisions in both (a) and (b) above maximum FAR as prescribed in MPD 2001 are not to be violated.
- (xi) **Stilts**:  
If a building on a residential plot is constructed on stilts, the same shall be counted in the permissible FAR, irrespective or whether it is used for parking, landscaping or as play area etc.

## **B) Residential plot- Group Housing (002)**

### **Norms applicable**

Minimum size of plot	4000 sqm
Maximum ground coverage	33.33%
Maximum floor area ratio	167
Maximum height	33 m

### **Note:**

The levy on additional FAR and/or development charges shall be charged over @ Rs. 450/- per sqm and shall be deposited in a separate escrow account and will be utilized exclusively for augmentation of infrastructure.

### **Other controls:**

- (i) The net housing density permissible shall be **140 Dus** per ha with 15 per cent variation on either side. This should be indicated in the zonal plan/ layout plan taking into consideration the gross residential density prescribed for the area. At the permissible level, the maximum variation of net density shall be 5 per cent.

In case of Bungalow area (Part Division D) and Civil Lines area (Part Division C), any residential density in group housing pockets shall be prescribed on the basis of detailed scheme.

(ii) **Minimum street in front** ----- 20 mtr.

(iii) **Basement :**

- (a) Basement(s) in Group Housing Schemes shall be permitted upto the building envelope line subject to that the maximum area, shall not exceed the building envelope area and with subject to the restriction that at one level the basement area is not to exceed equivalent to permissible ground coverage and the remaining would be taken in the lower level of the basement.
  - (b) That the basement area outside the ground coverage and below the stilts is to be flushed with the ground and is to be ventilated with mechanical means of ventilation.
  - (c) The basement area to be used for parking and for services such as location of electric sub-station with specifications and approval of D.V.B. installation of electrification for fire fighting with the approval of Delhi Fire Services and any other services required for the building with appropriate approval, shall not be counted in FAR calculations. However, if used for any other purpose including storage, the same shall be counted in FAR calculations.
  - (d) If a building is constructed with stilt area of non habitable height and is proposed to be used for parking, landscaping, etc. the stilt floor need not to be counted in FAR.
  - (e) In case a basement is provided below the stilt floor for purposes of parking, servicing etc. the same shall be flushed with ground level and provided with a mechanical means of ventilators and shall not be included in FAR.
  - (f) The basement projecting outside the building shall be flushed with the ground and the slab is to be designed to take the load of fire tender, etc.
- (iv) Additional FAR upto a maximum of 400 sq. mts. shall be allowed to cater to community needs such as community / recreational hall, crèche, library, reading room and society office.

## 1.2 Colonies/areas where services have been upgraded

A certificate shall be obtained from services department regarding availability of the services for the enhanced density to accommodate the norms dated 23.7.98. Norms that shall be applicable are as under:-

**A) RESIDENTIAL PLOT - Plotted Housing****Norms Applicable**

Sr. No.	Area of the Plot (in sq.m.)	Max. Ground Coverage (%)	FAR	No. of dwelling units	Max. height (in Meter)
(1)	(2)	(3)	(4)	(5)	(6)
1.	Below 32	75	225	1	12.5
2.	Above 32 to 50	75	225	2	12.5
3.	Above 50 to 100	75	225	3	12.5
4.	Above 100 to 250	66.66	200	3	12.5
5.	Above 250 to 500	50	150	3(4)	12.5
6.	Above 500 to 1000	40	120	6(8)	12.5
7.	Above 1000 to 1500	33.33	100	6(8)	12.5
8.	Above 1500 to 2250	33.33	100	9(12)	12.5
9.	Above 2250 to 3000	33.33	100	12(16)	12.5
10.	Above 3000 to 3750	33.33	100	15(20)	12.5
11.	Above 3750	33.33	100	18(24)	12.5

**N.B:** The building plans shall be sanctioned subject to certification by the Chief Town Planner, MCD that upgradation of infrastructure and services has been done or are inexistence and layout/services plans revised in consonance with July 23,1998 Notification.

2. The levy on additional FAR to be allowed vide table above over the FAR allowed Vide notification dated 15.05.95, excluding the basement and / or development charges shall be charged at the rate of Rs. 450 per sqm. or as revised from time to time through Government orders

**Other Controls :**

- i) The table gives maximum number of dwelling units, subject to the provisions of layout plan.

The permissible maximum covered area on ground floor and FAR shall in no case be less than the permissible covered area and FAR for the largest size plot in the lower category.

- ii) In case of residential plots above 250 sq. meter facing 24 m and above road (a) the FAR shall be increased by the maximum ground floor coverage (b) maximum height shall be 15 mtrs. and (c) the number of dwelling shall be as given in the brackets .

Other controls shall be same as given from (iii) to (xi) under **clause 1.1.**

### **B) Residential plot- Group Housing (002)**

#### **Norms applicable**

Minimum size of plot	4000 sqm
Maximum ground coverage	33.33%
Maximum floor area ratio	167
Maximum height	33 m

#### **Note:**

The levy on additional FAR and/or development charges shall be charged over @ Rs. 450/- per sqm and shall be deposited in a separate escrow account and will be utilized exclusively for augmentation of infrastructure

#### **Other controls:**

- (i) The net housing density permissible shall be **175 Dus** per ha with 15 per cent variation on either side. This should be indicated in the zonal plan/ layout plan taking into consideration the gross residential density prescribed for the area. At the permissible level, the maximum variation of net density shall be 5 per cent.

In case of Bungalow area (Part Division D) and Civil Lines area (Part Division C), any residential density in group housing pockets shall be prescribed on the basis of detailed scheme.

Other controls shall be same as given from (ii) to (v) under **clause 1.1.**

### 1.3 Residential plot- group housing (002)

**(For plot size 3000sqm. to 4000sqm.)**

#### **Norms applicable**

Minimum size of plot	3000 (sqm.)
Maximum ground coverage	33.33%
Maximum floor area ratio	167
Maximum height	33 m

#### **GUIDELINES**

- i) The minimum size of a plot for group housing is reduced to 3000 sqm. with FAR of 167, height 33 m and ground coverage 33.33% with density of 35 DUs (minimum) and 45 DUs (maximum) per 3000 sqm depending on the discretion of the builder. In addition, proportionate rise in number of DUs will be permitted allowing 1 additional DU for every additional 100 sqm. up to 4000 sqm after which the existing norms will apply. In addition to cooperative societies, private developers will be encouraged to take up group housing. The minimum plot size for plots being allotted to cooperative societies of DDA would also be lowered to 3000 sqm. as in the case of private developers.
- ii) Basement /basements up to the set back lines will have to be constructed, which

will be free from FAR and shall be used for parking and services as per MPD norms. Basement parking will be mandatory. Total required parking will be provided in basement and in other floors/open space within the plot.

- iii) The parking area is to be calculated @ 1.80 ECS per 100 sqm. of floor area upto 165 sqm, and 1.33 ECS per 100 sqm. for area beyond 165 sqm. of the total permissible FAR in the scheme.
- iv) Plots for group housing should be located on roads facing a minimum width of 60' (18 mts.) for existing colonies within MPD 1962 urban limits and 20 mtrs in other areas.
- v) Levy on additional FAR i.e. the difference between FAR of 167 and FAR earlier provided vide MPD-2001 will be collected @ Rs. 450/- per sq. m or as revised from time to time, at the time of sanction of building plans.
- vi) All Group Housing while applying for sanction of plan will henceforth make contribution to Housing for EWS Fund. The contribution will be @ Rs. 25,000 per dwelling unit of size 1000 sq. ft. (92.90 sqm) or more plinth area. The amount will be paid to the DDA. A separate escrow account for this purpose will be opened by the DDA. Funds available in the account will be utilised for construction of houses for the EWS. The Fund will be operated by DDA under specific direction of this Ministry.
- vii) The private builders will ensure that minimum of 20% of the DU's constructed are for LIG category. Such flats should have a carpet area between 250 sq. ft. (23.22 sqm.) minimum and 500 sq.ft. (46.44sqm) maximum.
- viii) The developer shall make the prescribed contribution towards licence fee, Scrutiny fee, Conversion charges, external development charges, etc. wherever applicable.
- ix) All other Master Plan norms will be adhered to. The above guidelines will not apply to cooperative group housing societies where constructions stand completed. The guidelines will also not apply to such cooperative group housing societies building plans stand approved. In all other cases, the above guidelines will be applicable. For group housing taken up by private builders, all applications will be covered under the above norms including those, which are under process, by the local bodies. In all such cases, the applicant shall apply afresh after fulfilling the above norms.

## **2.0 MIXED USE REGULATIONS**

**(Non residential Activity on residential premises):**

Specific provision for mixed use have been given for Walled City, Karol Bagh and other parts of the Special Area in the relevant sections in the Master Plan after making payment of conversion and parking fee @ Rs. 5500/- per sqm. of the permissible covered area at G. Floor as per Office order No. 5/EE (B)/HQ/92 dated 18.8.1992.

In case it is found feasible to permit mixed use in a street / area the same would be

permitted subject to the following conditions:

- i) The commercial activity allowed shall be only on the Ground Floor to the extent of 25 % or 50 sq.m. whichever is less.
- ii) The establishment shall be run only by the resident of the dwelling unit
- iii) The following activities shall not be allowed:
  - a) **Retail Shops**  
Building materials (timber, timber products, marble, iron and steel and sand. )  
Firewood, Coal.
  - b) **Repair Shops**  
Automobiles repairs and workshops  
Cycle rickshaw repairs  
Tyre resorting and retreading  
Battery Charging
  - c) **Service Shops**  
Flour mills (more than 3 kw. Power load)  
Fabrication and welding
  - d) **Storage, godown and warehousing**
  - e) **Manufacturing units (excluding house hold industry)**
  - f) **Junk Shops**

Nursing Home, guesthouse, and Bank shall be allowed in residential plots of minimum size of 209 sqm. facing a minimum road width of 18mtrs. wide (9 mtrs. in special area and 13.5 mtrs. in rehabilitation colonies) subject to the conditions laid down in the guidelines issued in this regard.

The front setbacks for these plots shall be surrendered without compensation unconditional to local body for use as part of the right of way for parking etc. Because of conversion of use activity the conversion fee shall be charged from the beneficiary as decided by the Authority.

### **3. GUIDELINE FOR ALLOWING MIXED USE NAMELY, NURSING HOMES, GUEST HOUSES AND BANKS IN RESIDENTIAL AREAS.**

Master Plan for Delhi has been modified vide Notification dated 7th May, 1999 allowing Guest House, Boarding House, Lodging House, Nursing Homes and Banks in residential plots of minimum size 209 sqm facing roads of minimum width 18 mts. (9mts. in special areas and 13.5 mts. in rehabilitation colonies) subject to the following conditions;

- (i) Minimum road frontage as mentioned above will be necessary for allowing above mentioned activities. For Guest Houses, Banks and Nursing Homes, which are already in existence this requirement may be relaxed, provided there is clearance from fire department.

- (ii) For Nursing Home and Banks, a maximum of 2/3rd-floor area may be allowed for conversion for plot size upto 250 sqm. In case of larger plots, the use for the above-mentioned purposes may be permitted subject to a ceiling of 2/3rd FAR or 600 sqm whichever is less. In the cases of guest Houses a maximum of 3/4th-floor area may be allowed for conversion regardless of size of plot. A maximum of 15 Guest rooms will be permitted in guest Houses.
- (iii) The maximum plot size for the above-mentioned activities will be 1000 sqm.
- (iv) All parking requirements of plot size over 250 sqm is to be provided within the plot. In case of smaller plots, land in the vicinity will be identified and common parking areas developed.
- (v) Nursing Homes, on payment of a fee, should link up their disposal of waste with MCD/NDMC, to ensure hygienic disposal.
- (vi) To avoid chances of recycling of syringes, needles, plastics, the Nursing Homes must ensure that these are destroyed before disposal. A certificate in this regard should be submitted to the local authorities at periodical intervals,
- (vii) Only Branch offices of Banks catering to the neighborhood banking facilities will be permitted.
- (viii) No commercial activity in the form of canteen or restaurant will be permitted. Catering will be allowed only for the residents of the Guest Houses /Nursing Homes.
- (ix) A permission fee will be charged at the rate of 10% per annum of 'the difference between the average commercial rate and average residential rate from Banks and Nursing Homes and 2.5% from Guest Houses as approved by the Ministry with the option to the property owners to pay use permission fee for 5 to 7 years in advance. The fees will be based on the actual floor area utilized for such non residential purpose. The amount collected through the levy of permission fee will be placed. in a separate escrow account by the concerned local body (MCD) collecting it and will be utilized for augmentation of infrastructure in and around the area.
- (x) Where residential premises are already being put to such non-residential use, the same will be regularised on their payment of permission fee vide para (ix) above from the date from which, its functioning has been established.
- (xi) Local bodies will ensure that permission fee is paid for each financial year within six months of that financial year. In case of violation of these guidelines /default, prompt action will. be taken to issue time-bound notice to party and in case of non-compliance close and seal the premises and pernlission fee with 100% misuse fee recovered.
- (xii) Whatever premises are utilized for such non-residential but permissible use it will be ensured that no nuisance or hardship is created for the local residents.

#### **4.0 PROFESSIONAL ACTIVITY**

Professional activity shall be allowed in residential plots and flats on any floor on the following conditions:

Part of the premises shall be permitted to be used upto a maximum of 25% of FAR or 100 sq.mtrs. which ever is less, for non residential but non nuisance activities for rendering service based on professional skills.

## CHAPTER –III

### GENERAL BUILDING NORMS:

#### 1. FOR FARM HOUSE:

All applications for construction of farmhouses and poultry sheds are to be submitted to Building Department H.Q., Room No 112, Town Hall, Delhi. The application for construction of farmhouse / shed shall consist of following documents: -

- 1) Proof of ownership of land in the form of sale deed, Akash Sajara, Farad Zama Bandi, Khasra Girdawari etc.
- 2) Proof of existing structures and completion certificate, if the proposal is for addition and alteration;
- 3) Undertaking for non-stacking of building material, on public property / road in the Performa as given in Appendix 'M';
- 4) Application on prescribed forms;
- 5) Certificate from supervising agencies;
- 6) No objection Certificate from land acquisition branch of GNCTD that the land is not under acquisition

#### 1.1 Building norms

S.No	Size of farm	Maximum floor area of dwelling units	Maximum height of dwelling units
(a)	1.0 ha. and above but less than 2.0 ha.	100 sqm. (including mezzanine floor)	Single storeyed maximum height 6 m.
(b)	2.0 ha and above	150 sqm. (including mezzanine floor)	Single storeyed maximum height 6 m.

Note: Basement equivalent to ground coverage shall be allowed as permitted in residential plotted development and will not be counted towards FAR.

#### Other Controls:

- i) Setback in dwelling house should be 15m away from any boundary line of the property.
- ii) Where the property abuts an urban road, the dwelling house building should be setback from the centerline of that road by 60m. Where the property abuts a village road, the building setback from the centerline of that road should be by 30m.
- iii) No dwelling unit should be built within 400m of the right of way of any National Highway.

#### 2.0 FOR MOTELS

Motels, as per the Master Plan for Delhi are defined as a permissible facility within the National Capital Territory of Delhi as 'premises designed and operated especially to cater to the boarding, lodging, rest and recreation and related activities of a traveler by road'. The setting up of Motels is guided by Notification of the Ministry of June 16,1995 and January 13,1999. They are permitted in rural zone/green belt as well as in commercial zone on National Highways and inter-state roads.

2. Motels are required for long distance travelers and setting up of these motels in National Capital Territory of Delhi need to be viewed in the context of necessary of maintaining a green buffer zone around Delhi as well as essential services in these areas. The matter has been further examined and the setting up motels in the NCT of Delhi shall be in accordance with the following guidelines. Henceforth, Motels can be permitted in rural zone/green belt as well as commercial areas along National Highways and Inter-State roads (defined to mean a expressway/highway which directly connects the National Capital Territory of Delhi with a neighbouring State).
3. Motel located in commercial zones will be subject to the norms and building standards applicable to hotels.
4. A motel located in the Rural Zone/Green belt will fall in the permissible use "recreation and leisure and shall be subject to the following norms and building standards
  - i) The minimum plot Size shall be one hectare.
  - ii) The minimum width of the driveway used for entry into, and exit from a plot shall be 9 mtr.
  - iii) The minimum setback shall be 15 mtr. in the front and 9 mtrs. from the sides and the rear. This shall be in addition to a green buffer from the road width if and as specified by law.
  - iv) The FAR shall be 15 for the first two hectares and 5 for the remaining land comprised in the site, subject to an overall maximum floor space of 4500 sq.mtr.
  - v) The maximum ground coverage shall be equivalent to FAR
  - vi) The built-up structure shall not exceed the height of 9 mtr.
  - vii) Basement equivalent to the ground coverage shall be allowed free from FAR to the extent necessary for air-conditioning plant, filtration plant, electric sub-station, parking and other essential services.
  - viii) Parking space shall be provided on a minimum scale of 1.67 ECS per 100 sqm. of floor area, including the provision made in this regard in the basement.
  - ix) Retail and service shops shall be limited to a maximum of 5 % of the floor area.
  - x) Water and electric supply, sewerage, drainage and other such infrastructure shall be provided on a scale and according to standards satisfactory to the building regulatory authority with specific provision for septic tanks/soak pit.



**ADDITIONS & ALTERATIONS  
IN DDA FLATS**

**CHAPTER – IV**  
**INSTRUCTIONS AND GUIDELINES FOR BUILDING PERMIT**  
**AND COMPLETION CERTIFICATE IN RESPECT OF DDA’S**  
**FLATS**

**1. BUILDING PERMIT A MUST:**

No person shall erect or re-erect or make alteration or cause the same to be done without first obtaining a separate building permit for each such building from the M.C.D. It is in the interest of the public to get the Building Plans sanctioned to ensure that they are constructing building with adequate provision of light, ventilation, hygienic condition and conform to the provisions of Master Plans and Zoning Regulations. Constructions raised without sanction are liable for demolition under section 343 and 344 of D.M.C. Act and owner/builder can also face regular prosecutions under sections 345A & 466A of the Act.

**2.0 ADDITION (S) / ALTERATION (S) ALLOWED IN DDA FLATS**

The Ministry of Urban Development and Poverty Alleviation, Government of India has allowed certain addition (s) /alteration(s) in DDA flats. These are applicable to all flats built and allotted by DDA irrespective of whether these are located in notified and denotified areas. The addition/alteration (s) allowed are categorized in three categories:-

- I) Condonable:** These are minor addition/alteration (s) which do not require structural changes and can be carried out by the owner(s) without any prior intimation/permission of DDA/MCD.
- II) Permitted with Intimation/permission:** These addition/alteration (s) are of major nature which may require structural changes, changes in the service lines and additional coverage.

**III Additional coverage permitted with prior permission.**

The details of all the categories of addition/alteration (s) which have been approved by Ministry of Urban Development & Poverty Alleviation by various orders are given below:

**I) CONDONABLE ITEMS:**

1. To convert existing barasati into room provided the wall is made of only 115 mm thick.
2. Grills and glazing in verandah with proper fixing arrangement.
3. Raising height of front and rear courtyard wall upto 7' height by putting up jali/fencing.

4. Providing door in courtyard wherever not provided.
5. Providing sunshades on doors and windows wherever not provided with proper fixing arrangements.
6. Closing the door.
7. If the bathroom or WC are not having roof, these may be treated as open urinals and allowed.
8. Raising the wall of balcony/terrace parapet with grill or glazing upto 5' height.
9. Construction of open staircase (cat ladder) where no staircase has been provided for approach to the terrace.
10. To put provide additional PVC water tank at ground floor area without disturbing the common passage.
11. To provide an additional PVC water tank in the scooter/car garage at the surface level.
12. To provide loft/shelf in the rooms without chase in the walls.
13. To change the flooring with water proofing treatment.
14. To remove half (4 ½") brick wall.
15. To make a ramp at front gate without disturbing the common passage/storm water drain.
16. To provide sunshades on the outer windows upto 2' wide projection.
17. To provide false ceiling in rooms,
18. To make an opening of maximum size of 2'6" x 1'9" for exhaust fan or air-conditioner in existing walls.
19. Fixing of door in back and front courtyard.
20. Converting of window into Almirah subject to availability of light and ventilation as per building byelaws provided that no structural elements are disturbed and there is no projection extending beyond the external wall.
21. Shifting of water storage tank/raising of parapet wall upto 5' height and putting additional water storage tank, where ever the existing water storage tank capacity is less than 500 ltrs. In a flat, the existing water storage tank can either be replaced by a 500 ltrs tank or if possible the additional tank can be added so as to make the total storage capacity upto 550 ltrs. However, such replacement/provision of additional tank will be done only on the locations specified for such tanks and the supporting beams will be required to be strengthened suitably. Parapet wall around terrace can be increase to a height of 5 ft.
22. To shift the front glazing, rooms/windows upto existing chajja.

## **II. ADDITION/ALTERATIONS (S) PERMITTED WITH PRIOR INTIMATION /PERMISSION:**

Following addition (s) /alteration(s) can be carried out with prior intimation/permission of MCD as per the prescribed procedure:

1. Interchange the position of kitchen, bath room & WC with proper connections subject to structure safety. To carryout this interchange, all the allottees of one vertical stack will have to apply jointly.

2. Construction of bathroom and WC in the rear courtyard.
3. Covering of open terrace with sloping roofs upto 9' height with lightweight material e.g. fibre glass/AC sheets/GI sheets with pipes and standard angle iron section etc. and enclosing with glazing.
4. Removal of original structure and reconstruction with due permission **in the case of single storeyed built up flats** only subject to the satisfaction of building bye-laws and prior approval of MCD.

### **III) ADDITIONAL COVERAGE PERMITTED WITH PRIOR PERMISSION:**

1. Covering of courtyard and floor level terraces is allowed subject to fulfillment of building bye-laws and structural safety.
2. In three or four storeyed flats the owners at upper floor shall have the right to cover the area available as a result of coverage of courtyard/terrace of floor below. In such cases the residents of DDA flats in a vertical stack served by the same staircase should give their consent and jointly apply for permission.
3. ***In two storeyed* flats the allottee at first floor will have no right of construction above the courtyard built by ground floor allottee.** The upper floor allottee of two storeyed flat can use the roof terrace for extra coverage as permissible.
4. A barsati on the roof terrace of the top floor in addition to mumty is allowed. This barsati should preferably be adjoining to the mumty and equivalent to the size of the room below so that construction of wall over wall is ensured at terrace level. This will be subject to the provision of access to the residents of the block for maintenance of water tank, plumbing system, fixing of TV/Cable antennas etc.

### **All the addition/alteration (s) and additional coverage will be governed by 5-basic principles:**

- There is no encroachment on the public land.
- Structural stability of the building is ensured.
- Light and ventilation of the habitable rooms is ensured as per the building bye-laws.
- There is no infringement of other's rights.
- The service elements such as manhole, rainwater fittings, sanitary fittings etc. are not disturbed and remain exposed for periodical inspection and maintenance.

The owner(s) will be allowed to cover additional space with prior permission of MCD as per the prescribed procedure.

The existing additional covered area and addition (s) /alteration (s) can also be got regularized by the owner (s) of DDA flats if the same are within the prescribed norms following the same procedure.

### **3.0 PROCEDURE FOR OBTAINING PERMISSION**

- 3.1 Additions/alterations in DDA flats in the Development Areas of the DDA shall be permitted by DDA and in other areas by MCD.
- 3.2 An Architect registered with Council of Architecture under Architects Act 1972 shall have the authority to certify plans for their correctness regarding original construction as well as proposals being in conformity with building bye-laws and to the guidelines of addition (s) /alteration (s). Once the plans with all the documents certified by the Architect, structural Engineer and fee are submitted to MCD, **these will be taken on record and treated as permitted.**
- 3.3 The person (s) who intend to make or has/have already carried out addition (s) /alteration (s) in the flat (s), shall intimate in writing in the prescribed form (**Appendix A-1, A-2**) and such intimation shall be accompanied along with the documents as given in para 5. The form is to be **filled up and jointly certified** by the owner (s) and Registered Architect, which contain the statement of the proposal and amount deposited. The proposal with all requisite information /documents and certification shall be accepted and one copy of the proposal will be certified/stamped and returned to the applicant. A copy of the plan duly stamped shall be forwarded to House Tax department. Incomplete proposals shall not be accepted.
- 3.4 In cases where permission is required for interchanging the position of kitchen, bathroom & WC or for additional coverage in courtyard and terraces, all the owner (s) of one vertical block will jointly submit the proposal. In case, where all the owner (s) of one vertical block are not interested to carry out the addition /alteration but one or two of them are interested, they will have to obtain no Objection Certificate from the remaining owner (s).
- 3.5 The Architect (s) may draw the original plan of the flat (s) by measurements and satisfy themselves about their correctness. **If need be, they can obtain a certified copy of original plan of the flat from Housing and Urban Projects Wing, DDA on prescribed payment.**

### **4.0 BUILDING PLAN FEE AND ADDITIONAL FLOOR AREA CHARGES.**

- 4.1 A Building plan fee of Rs. 200/- will be charged for processing the plans irrespective of covered area involved. In addition to this, a charge of Rs.

450/- per sqm will be levied for additional covered area proposed to be constructed. The rate of Rs. 450/- per sqm is in accordance with the rate given by the Ministry vide order dated 25.09.1998. **In case of regularisation an additional charge of 10% over Rs. 450/- shall be taken.**

## 5.0 DOCUMENTS TO BE SUBMITTED.

- i) Application form in prescribed proforma (A-1 for fresh proposal, A-2 for regularisation).
- ii) 4 (four) sets of plans (1 cloth mounted), duly signed by the owners and the Architect, registered with Council of Architecture under the Architects Act 1972 indicating his/her name, address, telephone number, clearly showing original construction in blue colour and proposed construction/construction to be regularized in red colour at a scale not less than 1:100.
- iii) Certificate of supervision by Architect and structural Engineer (**Appendix 'B'**) along with a copy of their valid registration and qualification certificate.
- iv) Certificate of supervision by Plumber if changes in wet areas i.e. kitchen, bath, WC/toilet are proposed or the services are being affected in any way along with copy of valid registration certificate of Plumber.
- v) Proof of ownership documents: Lease deed/conveyance deed shall be taken as documents for the proof of ownership. Registered sale deed or General power of attorney/Agreement to sale shall be accepted as the proof of ownership only after ***the property has been converted into freehold by DDA. This will also be required from the owner (s) who have given NOC only.***
- vi) Certificate by owner(s) and structural engineer for safety from natural hazard as per the proforma prescribed by Ministry (**Appendix 'C'**).
- vii) Indemnity Bond (**Appendix 'D'**) for structural stability on a non-judicial stamp paper of Rs. 100/- duly attested by Ist Class Magistrate/Notary Public. This Indemnity Bond will have to be given individually by all the owners of the vertical stack of flats. **This will not be required from those owner (s) who have given NOC only.**
- viii) **NOC from House Tax department by all the applicants.**

## 6.0 WHERE TO APPLY FOR SANCTION OF BUILDING PLANS:

Building plan application on prescribed forms duly filled in and signed by Registered Architect / Engineer/Supervisor and the owners along with the

prescribed documents should be submitted in the zone under which the flats falls in the office of Executive Engineer (Bldg.) on any working day upto 2.00 P.M. Facility is available for submission of building plans in single window service in all zones.

## **7.0 PROCEDURE FOR PROCESSING BUILDING PERMIT APPLICATION**

On the day, application for grant of building permit is received, an officer especially deputed for grant of permit to DDA's flat shall scrutinize the application to ensure that the plans with all the documents certified by the Architect, structural Engineer and fee are submitted to MCD and once that is found in order **these will be taken on record and treated as permitted.**

## **8.0 VALIDITY PERIOD OF BUILDING PERMIT**

Such building permit shall remain valid for a period of **three years** from the date of sanction .

**N.B: - No building activity can be carried out after the expiry of validity of such building permit.**

## **9.0 REVOCATION OF BUILDING PERMIT:**

The MCD may revoke any building permit issued under the provisions of the bye-laws if there has been any false statement or any mis-representation of material facts in the application on which the building permit was based.

**Or**

If the building permit, so issued, is found to be in violation of building bye-laws / Master Plan /Zonal Plan regulations

**Or**

If during construction it is found that the owner has violated any of the provisions of the Building Bye-Laws or sanctioned plan.

## **10.0 PROCEDURE FOR OBTAINING COMPLETION CERTIFICATE**

10.1 After completing the construction, the owner (s) through Architect shall intimate MCD. The Architect shall certify that the construction has been carried out as per the proposal submitted earlier and is in conformity with building bye-laws and guidelines for addition (s) /alteration (s) in DDA Flats.

10.2 The intimation of completion shall have to be given within 3 years of submission of plans for addition (s) /Alteration(s) to MCD. If no intimation regarding completion of construction is received within 3 years, the permission granted will automatically get revoked and withdrawn.

10.3 In cases where construction has already been carried out and only regularization is required, there will be no need of completion certificate.

### **11.0 WHERE TO APPLY FOR COMPLETION CERTIFICATE**

Application should be submitted in the respective zones.

### **12.0 PROVISION OF TEST CHECK**

MCD reserves the right to test check the proposal /completion submitted to it and in case it is found that the proposal /completion is not in conformity with building bye-laws/given guidelines for addition (s)/alteration (s) in DDA flats, the permission will be revoked and action will be taken against the Architect as per rules and regulations, and the construction which is not in conformity with building bye-laws and guidelines will be removed as per provision of Delhi Municipal Corporation Act 1957 as amended.

**APPENDIX 'A-1'****FORM FOR APPLICATION FOR PROPOSED ADDITION/ALTERATION IN DDA FLATS.**

To,

The Commissioner,  
Municipal Corporation of Delhi,  
Town Hall, Delhi.

Sir,

I/we hereby inform that I/we intend to make addition/alterations in the flat no./ nos. \_\_\_\_\_ Block No. \_\_\_\_\_ situated at \_\_\_\_\_ Scheme \_\_\_\_\_ in accordance with the guidelines issued by the Ministry of Urban Development & Poverty Alleviation in this regard.

I/we forward herewith the following plans and specifications duly signed by me/us (name in block letters) the Licenced Architect/Engineer/Plumber who have prepared the plans, designs etc., and who will supervise its erection and a copy of other statement /documents (as applicable).

The proposed covered area on all the floors is \_\_\_\_\_ sq. mts. accordingly a fee of Rs. \_\_\_\_\_ @ 450 per sq.mt of area part thereof of coverage has been deposited.

1. Building plans (four sets showing the original construction in blue colours and proposed construction in red colour).
2. Service plan (only in case of additional toilet is being constructed or position is being shifted).
3. Ownership documents of flat No. (i) (ii) (iii) (iv)
4. Attested copy of the receipt of the application fee.
5. Indemnity bond.
6. Structure stability certificate.
7. Copy of valid registration certificate of Architect.
8. Copy of qualification certificate of structural engineer.
9. Supervision certificate of Architect.
10. Supervision certificate of structural engineer.
11. NOC from House Tax Department from all applicants.

I/we request that the construction may be approved and permission accorded to me/us to execute the same in my flat.

- 1.
- 2.
- 3.
- 4.

Signature of owner/(s)  
Name in Block Letters  
Address of the owner/(s)  
Dated.

**APPENDIX 'A-2'****FORM FOR APPLICATION FOR REGULARISATION OF EXISTING ADDITIONS/ALTERATIONS IN DDA FLAT.**

To,

The Commissioner,  
Municipal Corporation of Delhi,  
Town Hall, Delhi.

Sir,

I/we hererby inform that I/we have made addition/alterations in the flat no. / nos. \_\_\_\_\_ Block No. \_\_\_\_\_ situated at \_\_\_\_\_ scheme \_\_\_\_\_ in accordance with the guidelines issued by the Ministry of Urban Development & Poverty Alleviation in this regard.

I/we forward herewith the following plans and specifications duly signed by me/us (name in block letters) the Licenced Architect/Engineer/Plumber who have prepared the plans, designs etc., and who will supervise its erection and a copy of other statement /documents (as applicable).

The proposed covered area on all the floors is \_\_\_\_\_ sq. mts. accordingly a fee of Rs. \_\_\_\_\_ @ 450 per sq.mt of area part thereof of coverage + 10% surcharge has been deposited.

1. Building plans (four sets showing the original construction in blue colours and proposed construction in red colour).
1. Service plan (only in case of additional toilet is being constructed or position is being shifted).
2. Ownership documents of flat No. (I) (ii) (iii) (iv)
3. Attested copy of the receipt of the application fee.
4. Indemnity bond.
5. Structure stability certificate.
6. Copy of valid registration certificate of Architect.
7. Copy of qualification certificate of structural engineer.
8. Supervision certificate of Architect.
9. Supervision certificate of structural engineer.
10. NOC from House Tax Department from all applicants.

I/we request that the construction may be regularized and completion recorded.

- 1.
- 2.
- 3.
- 4.

Signature of Owner/(s)

Name in block letters  
Address of the owner/(s)  
Dated.

**APPENDIX 'B'****FOR SUPERVISION**

To,

The Commissioner,  
Municipal Corporation of Delhi,  
Town Hall, Delhi.

Sir,

I hereby certify that the additions/alterations in flat no/nos. \_\_\_\_\_ in block no. \_\_\_\_\_ situated at \_\_\_\_\_ scheme \_\_\_\_\_ shall be/have been carried out under my supervision and I certify that all the materials (type and grade) and the workmanship of the work shall be/has been generally in accordance with the general specifications submitted alongwith and that the work shall be/has been carried out according to the submitted plans.

Signature of Licenced Architect/Engineer

Name of Licenced Architect/Engineer

Registration No.

Address

**APPENDIX 'C'****CERTIFICATE FOR SAFETY FROM NATURAL HAZARDS**

Certified that the buildings plans submitted for approval satisfy the safety requirements as stipulated in Clause 18 of Building Bye Law, 1983d and the information given therein is factually correct to the best knowledge and understanding.

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

Signature of the owner  
With date  
Name in Block letters.  
Address

Signature of the Architect  
With date  
Name in Block letters  
Address

Signature of the Structural Engineer  
With date  
Name in Block letters  
Address

**APPENDIX 'D'****INDEMNITY BOND**

(To be submitted on non judicial papers of Rs. 100 duly attested by the Oath Commissioner).

This Indemnity Bond is executed by Shri \_\_\_\_\_s/o Sh. \_\_\_\_\_ resident of \_\_\_\_\_ hereinafter called the owner of flat No. \_\_\_\_\_ in \_\_\_\_\_ New Delhi in favour of MCD its successors or entitled.

WHEREAS the owner has submitted the plan of addition/alterations in flat and whereas the owner has represented to the MCD that if permission is granted for carrying out of the said addition/alterations the owner shall Indemnify the MCD of any loss at the time of carrying out of the said addition/alterations or thereafter.

AND WJEREAS the said owner has further agreed to indemnify the MCD of any claims put up against the MCD either by way of compensation or in any other way in case the MCD is required to pay any such amount to any person or the owner or owners of the adjoining properties. The owner hereby agrees and undertakes to indemnify the MCD to pay the full extent of the amount to the MCD that may be required to be paid in the extent herein above mentioned.

The owner further undertakes and agrees to indemnify the MCD for any such amount the MCD may require to pay either by way of compensation of damage or any other amount and further undertake to indemnify the MCD of all cost and expenses that the MCD may require to defend any such action in any court of law. The owner undertakes that no addition/alterations shall be carried out beyond the boundaries of the flat. Any damage occurring during or due to the addition/alterations made at site to public sewers, water drains, roads/foot paths shall have to be made good by the owner.

In consideration of the above matter undertaking and indemnity given by the said owner the MCD hereunder in this behalf grant the permission in the said flat to the said owner.

INWITNESS HEREOF the owner above mentioned put his hand and seal of the said Indemnity Bond on this \_\_\_\_\_ day of \_\_\_\_\_.

Witness:     1.  
                  2.

EXECUTANTS

## CHAPTER V

Ministry of Urban Development and Poverty Alleviation, Government of India vide its notification dated the 9<sup>th</sup> February 2004 made the following modification in Delhi Building Bye-Laws with effect from the date of Publication of the Notification in the Gazette of India by adding clause 23 to the Building Bye-laws, 1983

### **23. CONSERVATION OF HERITAGE SITES INCLUDING HERITAGE BUILDINGS, HERITAGE / PRECINCTS AND NATURAL FEATURE AREAS**

Conservation of heritage sites shall include buildings, artifacts, structures, areas and precincts of historic, aesthetic, architectural, cultural or environmentally significant (heritage buildings and heritage precincts), natural feature areas of environmental significance or sites of scenic beauty.

#### *23.1 Applicability*

This regulation shall apply to heritage sites which shall include those buildings, artifacts, structures, streets, areas and precincts of historic, architectural, aesthetic, cultural or environmental value (hereinafter referred to as Listed Heritage Buildings / Listed Heritage Precincts) and those natural feature areas of environmental significance or of scenic beauty including but not restricted to, sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, points, walks, rides, bridle paths (hereinafter referred to as 'listed natural feature areas') which shall be listed in notification ( s) to be issued by Government / identified in Master Plan.

#### *23.1.1 Definitions*

- (a) "*Heritage building*" means and includes any building of one or more premises or any part thereof and /or structure and/or artifact which requires conservation and/or preservation for historical and / or architectural and / or artisanary and /or aesthetic and/or cultural and/or environmental and/or ecological purpose and includes such portion of land adjoining such building or part thereof as may be required for fencing or covering or in any manner preserving the historical and/or architectural and/or aesthetic and/or cultural value of such building.
- (b) "*Heritage Precincts*" means and includes any space that require conservation and /or preservation for historical and / or architectural and/or aesthetic and/or cultural and/or environmental and/or ecological purpose. Such space may be enclosed by walls or other boundaries of a particular area or place or building or by an imaginary line drawn around it.

- (c) *"Conservation"* means all the processes of looking after a place so as to retain its historical and/or architectural and/or aesthetic and/or cultural significance and includes maintenance, preservation, restoration, reconstruction and adoption or a combination of more than one of these.
- (d) *"Preservation"* means and includes maintaining the fabric of a place in its existing state and retarding deterioration.
- (e) *"Restoration"* means and includes returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without introducing new materials.
- (f) *"Reconstruction"* means and includes returning a place as nearly as possible to a known earlier state and distinguished by the introduction of materials (new or old) into the fabric. This shall not include either recreation or conjectural reconstruction.

### *23.2 Responsibility of the Owners of Heritage Buildings*

It shall be the duty of the owners of heritage buildings and buildings in heritage precincts or in heritage streets to carry out regular repairs and maintenance of the buildings. The Government, the Municipal Corporation of Delhi or the Local Bodies and Authorities concerned shall not be responsible for such repair and maintenance except for the buildings owned by the Government, the Municipal Corporation of Delhi or the other local bodies.

### *23.3 Restrictions on Development / Re-development / Repairs etc*

- (i) No development or redevelopment or engineering operation or additions / alterations, repairs, renovations including painting of the building, replacement of special features or plastering or demolition of any part thereof of the said listed buildings or listed precincts or listed natural feature areas shall be allowed except with the prior permission of Commissioner, MCD, Vice Chairman DDA/Chairman NDMC. Before granting such permission, the agency concerned shall consult the Heritage Conservation Committee to be appointed by the Government and shall act in accordance with the advice of the Heritage Conservation Committee.
- (ii) Provided that, before granting any permission for demolition or major alterations / additions to listed buildings (or buildings within listed streets or precincts), or construction at any listed natural features, or alteration of boundaries of any listed natural feature areas, objections and suggestions from the public shall be invited and shall be considered by the Heritage Conservation Committee.
- (iii) Provided that, only in exceptional cases, for reasons to be recorded in writing,

the Commissioner, MCD/ Vice Chairman DDA / Chairman NDMC may refer the matter back to the Heritage Conservation Committee for reconsideration

However, the decision of the. Heritage Conservation Committee after such reconsideration shall be final and binding.

#### *23.4 Penalties*

Violation of the regulations shall be punishable under the provisions regarding unauthorized development. In case of proved deliberate neglect of and/or damage to Heritage Buildings and Heritage precincts, or if the building is allowed to be damaged or destroyed due to neglect or any other reason, in addition to penal action provided under the concerned Act, no permission to construct any new building shall be granted on the site if a Heritage Building or Building in a Heritage Precinct is damaged or pulled down without appropriate permission from Commissioner, MCD/ Vice Chairman DDA/ Chairman NDMC.

It shall be open to the Heritage Conservation Committee to consider a request for re-building/reconstruction of a Heritage Building that was unauthorizedly demolished or damaged, provided that the total built-up area in all floors put together in such new construction is not in excess of the total built-up area in all floors put together in the original Heritage Building in the same form and style in addition to other controls that may be specified.

#### *23.5 Preparation of List of Heritage Sites including Heritage Buildings, Heritage Precincts and Listed Natural Feature Areas*

The list of heritage sites including Heritage Buildings, Heritage Precincts and listed Natural Features Areas is to be prepared and supplemented by the Commissioner, MCD/ Vice- Chairman DDA/Chairman NDMC on the advice of the Heritage Conservation Committee. Before being finalized, objections and suggestions of the public are to be invited and considered. The said list to which the regulation applies shall not form part of this regulation for the purpose of Building Bye-laws. The list may be supplemented from time to time by Government on receipt of proposal from the agency concerned or by Government *suo moto* provided that before the list is supplemented, objections and suggestions from the - public be invited and duly considered by the Commissioner, MCD Vice Chairman DDA/Chairman NDMC and/or Government and/or the Heritage Conservation Committee.

When a building or group of buildings or natural, feature areas are listed it would automatically mean (unless otherwise indicated) that the entire property including its entire compound / plot boundary along with all the subsidiary structures and artifacts, etc. within the compound/plot boundary, etc. shall form part of list.

### *23.6 Alteration / Modification / Relaxation in Development Norms*

On the advice of the said Heritage Conservation Committee to be appointed by the Government and for reasons to be recorded in writing, the Commissioner, MCD / Vice Chairman DDA/ Chairman NDMC shall follow the procedure as per DDA Act, 1957 to alter, modify or relax the Development Control Norms prescribed in the Master Plan of Delhi, or Building Bye-laws of Delhi if required, for the conservation or preservation or retention of historic or aesthetic or cultural or architectural or environmental quality of any heritage site.

### *23.7 Heritage Precincts / Natural Feature Areas*

In cases of streets, precincts, areas and, (where deemed necessary by the Heritage Conservation Committee) natural feature areas notified as per the provisions of this Building Bye-Laws No. 23.3 above, development permissions shall be granted in accordance with the special separate regulation prescribed for respective streets, precincts / natural feature areas which shall be framed by the Commissioner MCD/ Vice Chairman DDA/Chairman NDMC on the advice of the Heritage Conservation Committee.

Before finalizing the special separate regulations for precincts, streets, natural features, areas, the draft of the same shall be published in the official gazette and in leading newspapers for the purpose of inviting objections and suggestions from the public. All objections and suggestions received within a period of 30 days from the date of publication in the official gazette shall be considered by the Commissioner, MCD / Vice- Chairman DDA / Chairman NDMC / Heritage Conservation Committee.

After consideration of the above suggestions and objections, the agency concerned acting on the advice of the Heritage Conservation Committee shall modify (if necessary) the aforesaid draft separate regulations for streets, precincts, areas and natural features and forward the same to Government for notification.

### *23.8 Road Widening*

Widening of the existing roads under the Master Plan of Delhi / Zonal Development Plan or in the Layout Plan shall be carried out considering the existing heritage buildings (even if they are not included in a Heritage Precinct) or which may affect listed natural features areas.

### *23.9 Incentive Uses for Heritage Buildings*

In cases of buildings located in non-commercial use zones included in the Heritage Conservation List, if the owner / owners agree to maintain the listed heritage building as it is in the existing state and to preserve its heritage state with due repairs and the owner / owners / lessees give a written undertaking

to that effect, the owner / owners / lessees may be allowed with the approval of the Heritage Conservation Committee within permissible use zone to convert part or whole thereof of the non-commercial area within such a heritage building to commercial /office use/ hotel. Provided that if the heritage building is not maintained suitably or if the heritage value of the building is spoiled in any manner, the commercial/office / hotel use shall be disallowed.

### 23.10 Maintaining Skyline and Architectural Harmony

After the guidelines are framed, building within heritage precincts or in the vicinity of heritage sites shall maintain the skyline in the precinct and follow the architectural style (without any high-rise or multi-storeyed development) as may be existing in the surrounding area, so as not to diminish or destroy the value and beauty of or the view from the said heritage sites. The development within the precinct or in the vicinity of heritage sites shall be in accordance with the guidelines framed by the Commissioner, MCD / Vice-Chairman DDA/Chairman NDMC on the advice of the Heritage Conservation Committee or separate regulations / guidelines; if any, prescribed for respective zones by DDA/NDMC/MCD.

### 23.11 Restrictive Covenants

Restrictions existing as on date of this Notification imposed under covenants, terms and conditions on the leasehold plots either by Government or by Municipal Corporation of Delhi or by Delhi Development Authority or by New Delhi Municipal Council shall continue to be imposed in addition to Development Control Regulations. However, in case of any conflict with the heritage preservation interest/environmental conservation, this Heritage Regulation shall prevail.

### 23.12 Grading of the Listed Buildings / Listed Precincts

Listed Heritage Buildings / Listed Heritage Precincts may be graded into three categories. The definition of these and basic guidelines for development permissions are as follows:

Listing does not prevent change of ownership or usage. However, change of use of such Listed Heritage Building / Listed Precincts is not permitted without the prior approval of the Heritage Conservation Committee. Use should be in harmony with the said listed heritage site.

Grade-I	Grade-II	Grade-III
(A) Definition Heritage Grade-I comprises buildings and precincts of national or historic importance, embodying excellence in architectural	Heritage Grade-II(A&B) comprises of buildings and precincts of regional or local importance possessing special architectural or aesthetic merit, or	Heritage Grade-III comprises building and precincts of importance for townscape; that evoke architectural, aesthetic, or sociological interest through not

style, design, technology and material usage and/or aesthetics; they may be associated with a great historic event, personality, movement or institution. They have been and are the prime landmarks of the region. All natural sites shall fall within Grade- I	cultural or historical significance though of a lower scale in Heritage Grade-I. They are local landmarks, which contribute to the image and identity of the region. They may be the work of master craftsmen or may be models of proportion and ornamentation or designed to suit a particular climate.	as much as in Heritage Grade-II. These contribute to determine the character of the locality and can be representative of lifestyle of a particular community or region and may also be distinguished by setting, or special character of the facade and uniformity of height, width and scale.
(B) Objective: Heritage Grade-I richly deserves careful preservation	Heritage Grade-II deserves intelligent conservation.	Heritage Grade-III deserves intelligent conservation (through on a lesser scale than Grade-II and special protection to unique features and attributes)
(C) Scope for Changes: No interventions be permitted either on exterior or interior of the heritage building or natural features unless it is necessary in the interest of strengthening and prolonging, the life of the buildings/or precincts or any part or features thereof. For this purpose, absolutely essential and minimum changes would be allowed and they must be in conformity with the original.	<u>Grade-II(A):</u> Internal changes and adaptive re-use may by and large be allowed but subject to strict scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage Grade-II. <u>Grade-II(B):</u> In addition to the above, extension or additional building in the same plot or compound could in certain circumstances, be allowed provided that the extension / additional building is in harmony with (and does not detract from) the existing heritage building (s) or precincts especially in terms of height and facade.	Internal changes and adaptive re-use may by and large be allowed. Changes can include extensions and additional buildings in the same plot or compound. However, any changes should be such that they are in harmony with and should be such that they do not detract from the existing heritage building/precinct.
(D) Procedure: Development permission for the changes would be given on the advice of the Heritage Conservation Committee.	Development permission for the changes would be given on the advice of the Heritage Conservation Committee.	Development permission for the changes would be given on the advice of the Heritage Conservation Committee
(E) Vistas / Surrounding Development: All development in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of, or view from Heritage Grade-I	All development in areas Surrounding Heritage Grade-II shall be regulated and controlled, ensuring that it does not mar the grandeur of, or view from Heritage Grade-II	All development in areas surrounding Heritage Grade-III shall be regulated and controlled, ensuring that it does not mar the grandeur of, or view from Heritage Grade-III.

23.13 Nothing mentioned above should be deemed to confer a right on the owner / occupier of the plot to demolish or reconstruct or make alterations to his

heritage building / buildings in a heritage precinct or on a natural heritage site if in the opinion of the Heritage Conservation Committee, such demolition / reconstruction/ alteration is undesirable.

23.14 The Heritage Conservation Committee shall have the power to direct, especially in areas designated by them, that the exterior design and height of buildings should have their approval to preserve the beauty of the area.

23.15 *Signs and Outdoor Display Structures I Including Street Furniture on Heritage Sites*

Commissioner, MCD/ Vice Chairman DDA/Chairman NDMC on the advice of the Heritage Conservation Committee shall frame regulations or guidelines to regulate signs, outdoor display structures and street furniture on heritage sites.

23.16 *Composition of Heritage Conservation Committee*

The Heritage Conservation Committee shall be appointed by Government comprising of:

- |        |   |                         |
|--------|---|-------------------------|
| (i)    | Additional Secretary, Ministry of Urban Development and Poverty Alleviation   | <b>Chairman</b>         |
| (ii)   | Additional Director General (Architecture), CPWD  | Member                  |
| (iii)  | Structural Engineer having experience of ten years in the field and membership of the Institution of Engineers, India | Member                  |
|        | Architect having 10 years experience  |                         |
|        | A) Urban Designer   | Member                  |
|        | B) Conservation Architect   |                         |
| (iv)   | Environmentalist having in-depth knowledge and experience of 10 years of the subject.                                 | Member                  |
| (v)    | Historian having knowledge of the region having 10 years experience in the field                                      | Member                  |
| (vi)   | Natural historian having 10 years experience in the field   | Member                  |
|        | Chief Planner, Town & Country Planning Organisation   | Member                  |
| (viii) | Chief Town Planner, MCD   | Member                  |
| (ix)   | Commissioner (PIg.), DDA  | Member                  |
| (x)    | Chief Architect, NDMC   | Member                  |
| (xi)   | Representative of DG, Archeological Survey of India   | Member                  |
| (xii)  | Secretary, DUAC   | <b>Member Secretary</b> |

(a) The Committee shall have the powers to co-opt upto three additional members who may have related experience.

(b) The tenure of the Chairman and Members of other than Government Department / Local Bodies shall be three years.

*The terms of reference of the Committee shall inter alia be:*

- (i) to advise the Commissioner, MCD/ Vice Chairman DDA/Chairman NDMC whether development permission to be granted under this Building Bye-Laws No.23.3 and the conditions of permission (vide BBL No. 23);
- (ii) to prepare a supplementary list of heritage sites, which include buildings artifacts, structures, streets, areas, precincts of historic, aesthetic, architectural, cultural, or environmental significance and a supplementary list of natural feature areas of environmental significance, scenic beauty including but not restricted to sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, points, walks, rides, bridle paths etc. to which this Building Bye-Law would apply.
- (iii) To advise whether any relaxation, modification, alteration, or variance of any of the Building Bye-laws is called for;
- (iv) To frame special regulations / guidelines for precincts and if necessary for natural feature areas to advise the Commissioner, MCD/ Vice Chairman DDA/Chairman NDMC regarding the same; .
- (v) To advise whether to allow commercial/ office/ hotel use in the (name the areas) and when to terminate the same;
- (vi) To advise the Commissioner, MCD/ Vice Chairman DDA/Chairman NDMC in the operation of this Building Bye-law to regulate or eliminate/erection of outside advertisements/bill boards/street furniture;
- (vii) To recommend to the Commissioner, MCD/ Vice Chairman DDA/ Chairman NDMC guidelines to be adopted by those private parties or public / government agencies who sponsor beautification schemes at heritage sites;
- (viii) To prepare special designs and guidelines / publications for listed buildings, control of height and essential facade characteristics such as maintenance of special types of balconies and other heritage items of the buildings and to suggest suitable designs adopting appropriate materials for replacement keeping the old form intact to the extent possible.
- (ix) To prepare guidelines relating to design elements and conservation principles to be adhered to and to prepare other guidelines for the purposes of this Regulation;
- (x) To advise the Commissioner, MCD / Vice Chairman DDA/Chairman NDMC on any other issues as may be required from time to time during course of scrutiny of development permissions and in overall interest of heritage / conservation;
- (xi) To appear before the Government either independently or through or on behalf of the Commissioner, MCD / Vice-Chairman, DDA / Chairman, NDMC in cases of Appeals under DDAIMCDINDMC Act in cases of listed buildings / heritage buildings and listed precincts / heritage precincts and listed natural feature areas.

### *23.17 Implications of Listing as Heritage Buildings:*

The Regulations do not amount to any blanket prevention of demolition or of changes to Heritage Buildings. The only requirement is to obtain clearance from Commissioner, MCD/ Vice- Chairman DDA/Chairman NDMC and Heritage Conservation Committee from heritage point of view.

*23.18 Ownership not affected:*

Sale and purchase of Heritage Buildings does not require any permission from Municipal Corporation of Delhi / Delhi Development Authority/New Delhi Municipal Council or Heritage Conservation Committee. The Regulations do not affect the ownership or usage. However, such usage should be in harmony with the said listed precincts / buildings. Care will be taken to ensure that the development permission relating to these buildings is given within 60 days."

## Building Bye-Laws in Delhi (1998 Amendments)

Some of the Useful information on Building Bye-laws of Delhi is given hereunder. These details are after amendments of 1998 approved by Government of India.

This is just reference and should be verified before this information is used for any purpose.

### PERMISSIBLE FLOOR AREA RATIO FOR DIFFERENT SIZE OF PLOTS (AFTER 1998 AMENDEMENTS)

S.No.	Area of Plot ('Sq. Mtrs.)	Maximum Ground Coverage %	FAR	Number of DUs	Max. Height(in Mtrs.)
1	Below 32	75	225	1	12.5
2	Above 32 to 50	75	225	2	12.5
3	Above 50 to 100	75	225	3	12.5
4	Above 100 to 250	66.66	200	3	12.5
5	Above 250 to 500	50	150	3 (4)	12.5
6	Above 500 to 1000	40	120	6 (8)	12.5
7	Above 1000 to 1500	33.33	100	6 (8)	12.5
8	Above 1500 to 2250	33.33	100	9 (12)	12.5
9	Above 2250 to 3000	33.33	100	12 (16)	12.5
10	Above 3000 to 3750	33.33	100	15 (20)	12.5
11	Above 3750	33.33	100	18 (24)	12.5

- i) Levy on the additional FAR to be allowed vide above over the FAR allowed vide Notification dated 15.05.95 including the basement and /or development charges shall be charged at the rates as laid down in the Building Bye-laws or through Government orders and as revised from time to time . (At present it is Rs.450/- per sq. mtr.)
- ii) In case of residential plots above 250 sq. mtrs. Facing 24 mtrs. and above road, (a) the FAR shall be increased by the maximum ground floor coverage , (b) maximum height shall be 15 mtrs. And(c) the number of dwelling units shall be as given in brackets.

#### Basement

- (1) Basement in case of plotted development if constructed shall not be included in FAR.
- (2) Basement area shall not exceed the ground floor coverage and shall be below the Ground floor. Basement area may, however, be extended below the internal courtyard and shaft.

#### Residential Plot-Group Housing

The following amendments/additions are made:

Maximum FAR ..... 167

Maximum height .....33 mtrs.

Levy on additional FAR and /or development charges for additional FAR shall be charged at the rate as decided by the Government from time to time.

Other controls: ( i ) The net housing density permissible shall be 175 DUs per hectare with a 15% variation on either side . This should be indicated in the Zonal in the Zonal Plan/Layout plan

taking into consideration the gross residential density prescribed for the area. At the permissible level, maximum variation in density shall be 5%.

(ii) Additional FAR up to a maximum of 400 sq. mtrs. shall be allowed to cater to Community needs such as Community Hall, Crèche, Library, Reading Room and Society Office . Professional activity shall be allowed in residential plots and flats on Any floor on the following conditions:

Part of the premises shall be permitted to be used upto a maximum of 25% of Far or 100 sq. mtrs., whichever is less, for non-residential but non-nuisance activities for rendering service based on professional skills.

### **Farm Houses:**

- (i) Minimum size of farm house..... 0.8 ha.
- (ii) Maximum ground coverage .....5%
- (iii) Maximum FAR .....5 (subject to maximum of 500 sq. mtrs. irrespective of the size of the farm )
- (iv) Number of storeys..... two
- (v) Maximum height..... 8 mtrs.

All constructions including basement, if any will be counted towards FAR.

Land will be surrendered free of cost for circulation network and infrastructure requirement as per the layout plan by the land owners, allowing them the benefit of FAR on total area.

Levy on additional FAR over and above permitted vide Government of India, Gazette Notification dated 1.8.90 and /or development charges shall be charged at rates to be decided by the Government of India from time to time