

No. TP/G/SDMC/2013/1709

Dated 18/01/13

CIRCULAR

Sub: The Building Regulations for Special Area, Unauthorized Regularized Colonies and Village Abadis, Sub-division of residential plots.

Delhi Development Authority vide Notification No. F.3(28)/MP/Part dated 17<sup>th</sup> January, 2011 has notified "The Building Regulations for Special Area, Unauthorized Regularized Colonies and Village Abadis, 2010."

As per clause 3(iii) of the Building Regulations, following provisions for permitting sub-division of residential plots in the areas as mentioned in the regulations have been made :-

"In Village Abadis, Special Area and Unauthorised Regularised Colonies, sub-division that has taken place upto 3.2.2007 may be recognized provided that if there are more than one building in one residential plot, the sum of the built-up area and ground coverage of all such buildings, shall not exceed the built-up area and ground coverage permissible in the undivided plot.

This is subject to the condition that :

- The area of sub-division is not less than the minimum area (32 sqm.) prescribed in MPD-2011
- Should have access from the public road/street.
- Documentary evidence of sub-division existing upto 08.02.2007 is submitted with the application for sanctioning of layout plans and building plans to the local body."

Considering the different character of developments in Village Abadis, Special Area & Unauthorized Regularized Colonies, previous decisions of the Standing Committee regarding unauthorized regularized colonies and the provisions as made in the regulations as notified on 17.1.2011 by DDA, the Standing Committee of unified Corporation vide resolution No. 481 dated 9.11.2011 had approved a policy regarding sub-division of residential plots arising after the notification dated 17.1.2011 and as enabled under provisions of the same notification. Accordingly, a circular was issued by the Town Planning Deptt. vide letter No. TP/G/4095/11 dated 9.12.2011.

Further the Standing Committee of South Delhi Municipal Corporation vide resolution No. 103 dated 25.9.2012 has approved an amendment in the resolution No. 481 dated 9.11.2011 by resolving that "In the extended Lal Dora Area of villages falling under South Delhi Municipal Corporation, sub-division of residential plots carried out prior to 8.2.2007 be treated at par with the sub-division carried out in the original abadi." The Town Planning Deptt. issued a circular No. TP/G/SDMC/1069 dated 26.10.2012 for implementation of resolution No.103 of 25.9.2012 of the Standing Committee of SDMC and the earlier circular dated 9.12.2011 was accordingly amended.

The Standing Committee of SDMC vide resolution No.179 dated 18.12.2012 has further amended the policy to the extent that :

- i) sub-division of residential plots as permitted under notification dated 17.1.2011, for the sake of administrative convenience, be approved at the level of Commissioner after considering the documentary proof of sub-division.
- ii) the provision of policy of sub-division as approved by Standing Committee vide resolution No 481 dt. 9.11.2011 and 103 dated 25.9.12 shall be applicable in Lal Dora and Extended Lal Dora of villages where development/Re-development plan does not indicate individual use premises/plots.


As a result of above resolution Nos. 481 dated 9.11.2011, 103 dated 25.9.2012 and 179 dated 18.12.2012; and in the light of regulations as notified by DDA on 17.1.2011, previous decision of Standing Committee regarding unauthorized regularized colonies and different character of development in Village Abadis, Special Areas and unauthorized regularized colonies, the policy of sub-division is detailed out as under after incorporating the decisions of Standing Committee.

1. While approving the sub-division, the Ground Coverage and FAR be distributed on pro-rata basis in the sub-divided plots depending on the size so as the sum of the built-up area and ground coverage of all such buildings shall not exceed the built-up area and ground coverage permissible in the undivided plot.
2. In case of village Abadis (Lal Dora and Extended Lal Dora), the single entity of the plot shall be taken as existing on the date of application with an affidavit from the owner/applicant that no sub-division has been carried out after 8.2.2007. This shall also be applicable in Lal Dora and Extended Lal Dora of villages where development/Re-development plan does not indicate individual use premises/plots.
3. In Special Area, all sub-division carried out upto 8.2.2007 shall be treated as per regulations notified on 17.1.2011.
4. In case of unauthorized regularized colonies, the plot for which sub-division/amalgamation has been carried out prior to the cut of date of regularization i.e. 16.2.77 shall continue to remain as separate plot/single entity subject to documentary proof. Further, sub-division subsequent to 16.2.77 and upto 8.2.2007, shall be considered as per the notification of 17.1.2011 and these shall be incorporated in the regularization plan prior to sanction of building plan.
5. The application for the sanction of building plans on sub-divided plots shall continue to be submitted with the Building Deptt. and after verification of ownership, the same shall be forwarded to Town Planning Deptt. for its incorporation in the regularization plan/approval of sub-division plan as the case may be.

The sub-division of residential plots as permitted vide notification No. F-3(28)2008/MP/Part dated 17.1.2011 shall be approved for the sake of administrative convenience at the level of Commissioner after considering the documentary proof of sub-division.

This circular supercedes earlier circular No.TP/G/4095/11 dt. 9.12.2011 and No.TP/G/SDMC/1069 dt. 26.10.2012 and comes into force with immediate effect.

The matter with approval of Competent Authority.

  
(DR.D.N.SINGH)  
ADDL.CM.-I

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