



coverage permissible in that plot. But in the instant case the building plan has been got sanctioned in violation of MPD-2021 under saral scheme considering the permissible Ground Coverage 90% and FAR 350% which is permissible for the plots measuring 50 sqm. to 100 sqm.


From the documents, it was observed that the building plan has been got sanctioned for a sub-divided plot measuring 110 sq. yards in violation of the policy/guidelines/provisions of MPD-2021 without getting the layout plan approved/ modified from the Town Planning Department/ North-DMC.

In view of above facts, show cause notice bearing No. D/KPZ/2020/6071 dated 20.05.2020 was sent to Mrs. Madhu Gupta, owner/occupier via post office and to Sh. Ramesh Namdeo Rao Deshmukh (E/1023), Architect via given email as to why the sanction obtained by them under Saral Scheme vide online ID No. 10072885 dt. 11.02.2020 be not revoked and action against the Architect/ Engineers Sh. Ramesh Namdeo Rao Deshmukh (E/1023) be not initiated as per Law/DMC Act and further the work commenced/erected or done be treated as without any valid sanction and the action against the Architect be not initiated. They were further directed to file the reply within 7 days from the receipt of this notice failing which it will be presumed that they have nothing to say in the matter and action as per provisions of the DMC Act will be taken without any further notice.

In response to above show cause notice, a reply dated 29.05.2020 was received from Ms. Madhu Gupta (Owner) stating therein that "The property was initially 220 sq.yds. and it was sub-divided by M.C.D. in 1974 and by Court in 1979 as per sale deed page 2 & 3. We have purchased the plot from Govt. Agency i.e. Bank and partition done by the court. Therefore, sub-division is already done and there are certain ruling of court for above observations\_\_\_\_". The owner further stated and requested to allow some more time 10-15 days to file their final letter as lawyer was not available and public interaction was not permitted in the zone due to lockdown.

Thereafter, a letter dated 30.06.2020 was again received from the owner - Ms. Madhu Gupta stating that "the property in question is 92.655 sq.mtrs. has been sanctioned online under Saral Scheme which is the only option to sanction this plot sub-divided by MCD in 1974 and also sub-divided by the Civil Court No. XXIV and further passed a decree on 10.07.1979 in suit No. 79/79 and further through Bank in the year 2015\_\_\_\_." However, no reply has been received from the Architect.

Upon receipt of the reply dated 29.05.2020 and 30.06.2020, the case was referred to ALO/K.P. Zone seeking opinion in the matter. In response, ALO/K.P. Zone vide his comments dated 03.09.2020 opined that "In my opinion as per 4.4.3 of MPD-2021, department can consider the matter for sanction of building plan but not without modification in the approved LOP. The expert opinion may be sought from CLO office as well as Building (HQ) before taking any decision on this subject being an important issue, which need final decision/opinion".

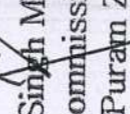


Thereafter the case was referred to CLO, who in turn referred the matter to CTP to examine the issue. In response, Town Planning Department vide their comments dated 09.10.2020 has requested to attach three copies of part lay out plan, showing the site under reference duly signed by the Architect with width of the surrounding roads.

Keeping in view the advice of C.T.P., letter bearing No. EE(B)-II/KPZ/2020/9843 dated 19.11.2020 followed by Reminder No. EE(B)-II/KPZ/2020/99937 dated 09.12.2020 were sent to owner/occupier via post office and to Sh. Ramesh Namdeo Rao Deshmukh (E/1023) via gien email to provide three copies part lay out plan showing the site in question alongwith width of the existing surrounding road within 7 days failing which the matter will be processed as per law, but no intimation regarding providing the said documents to C.T.P. Office has been received in this office so far.


Further, after taking into consideration all facts and circumstances of the matter and in consonance with the relevant provisions of Unified Building Bye-Laws-2016/policy of the Department, Sh. Ramesh Namdeo Rao Deshmukh (E/1023) is debarred from signing/submitting any application for consideration/ approval of Layout Plan/ Site Plan /Building Plan, completion certificates/C-1 certificate, regularization etc as Architect in respect of the properties situated in the areas under the jurisdiction of the three Municipal Corporations i.e. South DMC, North DMC and East DMC for a period of one year from the date of issuance of this Order. During the said period, no building plan application under your signatures shall be entertained by these three Municipal Corporations.

Issued under my hand and seal on this 03 day of Feb, 2021.

  
(Vikram Singh Malik)  
Deputy Commissioner  
Keshav Puram Zone

1. Sh. Ramesh Namdeo Rao Deshmukh (E/1023)  
E-mail:-m.deshmukh@yahoo.co.in
2. Mrs. Madhu Gupta, Owner/ Occupier  
P.No. E-103, Kamla Nagar  
Delhi-110007

Copy to:

1. Secretary, Council of Architecture, India Habitat Centre, Lodhi Road, New Delhi- with the request to initiate necessary action against the above named Architect please.
2. All Zonal DCs, North, South and East DMC for kind information.
3. CTP - South DMC, North DMC and East DMC - for necessary action.
4. SE's (Bldg.)HQ North, South and East DMC - for necessary action.
5. S.E.-II/K.P. Zone for necessary action.
6. All Zonal EE's(Bldg.)- North, South, & East DMCs - for necessary action.
7.  Director (IT) with request to upload the same on MCD Website/ Portal.
8. O/c.