



## MUNICIPAL CORPORATION OF DELHI

### (Public Health Department)

No. Addl. MHO-II/MCD/HQ/2024/D-368

Dated:- 04.03.2024

#### CIRCULAR

As per provisions of Section 417(a) of Delhi Municipal Corporation Act, 1957 (amended to date), Municipal Corporation of Delhi issues Health Trade Licence (HTL) to Fitness Centres (including Gymnasiums etc.) running in the conforming areas as per MPD 2021 falling under its jurisdiction. In super-session of all existing orders/circulars/guidelines issued on the subject matter. Health Trade License shall be issued in conforming areas in accordance with the following provisions/guidelines/technical conditions/terms & conditions etc. This is as per Clause 15.7.2 of MPD 2021 and Notification No.12011/8/2019-DDI, dated 16/03/2020 of Ministry of Housing & Urban Affairs, Govt :

S.No	Particulars	Details												
1.	Provision for Health Trade License issued Under DMC Act.	Under Section 417(1) (a) DMC Act for issue of Health Trade License for trade of Fitness Centre (Including gymnasium etc.)												
2.	Areas where activity Permitted	<p>(a) Permitted in residential plot abutting roads of minimum RoW prescribed below (as per Clause 15.7.2 of MPD - 2021), whether or not the road is notified as mixed land use street is permissible as below:</p> <table><tr><th>S.N</th><th>Residential area details</th><th>Permitted in</th></tr><tr><td>1.</td><td>In A&amp;B Colonies</td><td>18m RoW in regular plotted development</td></tr><tr><td>2.</td><td>In C&amp;D Colonies</td><td><ul style="list-style-type: none"><li>18m RoW in regular plotted development,</li><li>13.5 RoW in rehabilitation colonies and</li><li>9m RoW in regularized-unauthorized colonies, resettlement colonies, Walled City, Special Area and urban villages; and in pedestrian shopping streets of less than 6m RoW.</li></ul></td></tr><tr><td>3.</td><td>In E,F&amp;G Colonies</td><td><ul style="list-style-type: none"><li>13.5m RoW in regular residential plotted,</li><li>9m RoW in rehabilitation colonies and 6m RoW in regularized-unauthorized colonies, resettlement colonies, walled city, special area and urban villages; and in pedestrian shopping streets (of less than 6m RoW).</li></ul></td></tr></table>	S.N	Residential area details	Permitted in	1.	In A&B Colonies	18m RoW in regular plotted development	2.	In C&D Colonies	<ul style="list-style-type: none"><li>18m RoW in regular plotted development,</li><li>13.5 RoW in rehabilitation colonies and</li><li>9m RoW in regularized-unauthorized colonies, resettlement colonies, Walled City, Special Area and urban villages; and in pedestrian shopping streets of less than 6m RoW.</li></ul>	3.	In E,F&G Colonies	<ul style="list-style-type: none"><li>13.5m RoW in regular residential plotted,</li><li>9m RoW in rehabilitation colonies and 6m RoW in regularized-unauthorized colonies, resettlement colonies, walled city, special area and urban villages; and in pedestrian shopping streets (of less than 6m RoW).</li></ul>
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		<p>(b) This is under two categories:</p> <p>(i) <b><u>Running on or before 16/03/2020</u></b> :-</p> <p>Operation of Fitness Centre (Including Gymnasium etc.) running on or before 16/03/2020 shall be governed under:</p> <ul style="list-style-type: none"> <li>• Permitted on all floors.</li> <li>• Permitted in the basement subject to relevant provisions of Building Bye-laws, structure safety norms and fire safety clearance.</li> <li>• In case the use of basement leads to exceeding the permissible FAR on the plot, such FAR in excess shall be used subject to payment of appropriate charges prescribed with the approval of Government.</li> </ul> <p>(ii) <b><u>Running after 16/03/2020</u></b> :-</p> <p>Operation of new Fitness Centre (Including Gymnasium etc.) running after 16/03/2020 shall be governed as under :</p> <ul style="list-style-type: none"> <li>• Allowed only on Ground Floor and Basement.</li> </ul> <p>(c) Operation of new Fitness Centre (Including Gymnasium etc.) in Commercial Centers is permitted irrespective of cut-off date (i.e. 16/03/2020) and is as under:</p> <p>Permitted in Commercial Centers i.e. Metropolitan City Center, District Center, Community Center, Local Shopping Center and Convenience Shopping Center.</p>
3.	<b>Documents required for Obtaining Health Trade License</b>	<ul style="list-style-type: none"> <li>• Proof of legal occupancy of premises;</li> <li>• Site Plan;</li> <li>• Partnership deed &amp; NOC from partners in favour of applicant;</li> <li>• In case of companies, applicant will be asked to submit the resolution; passed by the Board of Directors for issue of Health Trade License.</li> <li>• Fire NOC in case of basement</li> </ul>
4.	<b>License Fee &amp; Processing Fee</b>	<ul style="list-style-type: none"> <li>• License fee for New/Renewal/Late fee (if applicable) for Fitness Centre (Including Gymnasium etc.) will be collected as per Circular No. PA/MHO-I/MCD/2022/97 Dated-07.07.2022</li> </ul>
5.	<b>General Guidelines</b>	<ul style="list-style-type: none"> <li>• The activity of Fitness Centre (Including Gymnasium etc.) shall also be subject to any other specific terms and conditions, as may be prescribed in the relevant status/acts applicable to it.</li> <li>• It shall be the responsibility of the plot allottee/owner to make arrangements for parking so that the parking does not encroach/spill over on public land.</li> <li>• Premises shall be structurally sound and kept clean.</li> <li>• Sufficient space should be available between two</li> </ul>

		<p>machines/equipment or treadmills for free movement of individuals using the machines/equipment or treadmills.</p> <ul style="list-style-type: none"> <li>• Premises should be well lighted and ventilated with sufficient number of lights, fans and exhaust fans in the non-air conditioned premises.</li> <li>• Adequate facilities for drinking water.</li> <li>• No Smoking' signs to be displayed.</li> </ul>
6.	<b>MPD-2021 Provisions</b>	<ul style="list-style-type: none"> <li>• As per the provision of MPD-2021 under clause 15.7.3 (i) regarding plot size (Subject to specific condition mentioned succeeding Para) the minimum size** of the plot on which these activities shall be permissible, on streets of prescribed minimum ROW, shall be 200 sqm in regular plotted development, 75 sqm in rehabilitation colonies, regularized-unauthorized colonies, resettlement colonies, Walled City, Special Area &amp; urban villages subject to the following specific conditions. Note: ** Variation of <math>\pm 5\%</math> in plot size may be disregarded.</li> <li>• Fitness Centre (Including Gymnasium etc.) (Other than those on plots abutting commercial streets) is permitted on all floors. It is also permitted in the basement subject to relevant provisions of Building Bye Laws, structural safety clearance. In case the use of basement leads to exceeding permissible FAR on the plot such FAR in excess shall be used subject to payment of appropriate charges prescribed with the approval of Government.</li> </ul>
7.	<b>Technical Conditions</b>	<ul style="list-style-type: none"> <li>• Trained &amp; qualified instructors specialized in the field must be available.</li> <li>• Certificate of training of First Aid to the Trainers</li> <li>• First aid kit shall be provided.</li> <li>• Advisory/Instruction regarding use of equipment should be displayed prominently.</li> <li>• Fitness Centre (Including Gymnasium etc.) will not display/indulge in sale of any food supplements, food products etc.</li> <li>• Availability of toilet (separate facilities for ladies and gents in bigger units) with proper drainage system.</li> <li>• Availability of facilities of separate changing rooms for ladies &amp; gents (optional).</li> <li>• Wash basin made of porcelain/stainless steel along with soap shall be provided.</li> <li>• Continuous supply of safe water shall be ensured in the premises. In case of intermittent water supply, adequate arrangement of water shall be made.</li> </ul>

		<ul style="list-style-type: none"> <li>• The floor and skirted walls shall be thoroughly cleaned daily.</li> <li>• Customers suffering from communicable diseases shall not be entertained. The premises shall not be used for residential purposes nor it shall communicate with any residential portion of the premises. No personal belongings like clothing, bedding, shoes etc. shall be kept in the premises.</li> <li>• Non-compliance of any of the condition of license or infringement of any by-laws, rules &amp; regulations made in this regard will be liable for actions like penalty/dis-incentive and/or suspension/ cancellation/revocation of license as deemed fit for the violations.</li> </ul>
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Non-compliance of above mentioned conditions shall be liable for revocation/termination of license.

This issues with the approval of Competent Authority.



Addl. Municipal Health Officer-II



Dr. D. Somashekar  
Addl. Municipal Health Officer-II  
Municipal Corporation of Delhi

**Distribution:**

1. All Zonal DHOs
2. Addl. MHO/DHO (HQs)
3. PS to Commissioner-For favour of kind information of the Commissioner, MCD
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