



**MUNICIPAL CORPORATION OF DELHI**  
**OFFICE OF THE DEPUTY COMMISSIONER**  
**SOUTH ZONE**  
**GREEN PARK : NEW DELHI**

NO.D/ 285 /DC/Bldg.-I /SZ/MCD /2026

Dated : 29/05/2026

**ORDER**

**{Under Section 338 of the DMC Act-1957 for Revocation of Sanction of Building Plans in respect of P.No. 46-A, KHASRA NO.1, VILLAGE BEGUMPUR, NEW DELHI}**

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| <b>Name of Applicants</b>  | <b>Shri Varun Chhatwal</b><br><b>Shri Fakruddin</b>  |
| <b>Name of Architect, who sanctioned / issued the building plans</b> | <b>Ms. Aishwarya Aishwarya</b><br><b>(Licence No. CA/2017/81526</b>  |
| <b>Online ID No.</b>   | <b>20011453</b>  |
| <b>Area of Plot</b>  | <b>250 sq.yds. appr. Comprised in Khasra No.1min, Hauz Rani Hamid Sarai Abadi Begumpur (as per Sale-Deed dated 12.12.2023)</b> |

Whereas an application for sanction of building plans of above property was submitted by **the above named applicants** with the **Architect** for construction of a residential building through online mode vide online **ID No. 20011453**.

Whereas the **Architect** named above exercised his powers as per Circular No. No. D-304/COM/SDMC/2022 dated 22.08.2022 (earlier Circular No. South DMC/Addl.Cmr. (RG)/2019/217 dated 15.10.2019), which empowers the Architects / Engineers to sanction the building plans for fresh constructions of residential properties having area upto 500 sq.mts. (except the properties categorized in the said Circular) and sanctioned the building plans at his level. This Circular clearly stipulates that consequences / responsibility, if any, on account of erroneous sanction shall be exclusively borne by the Architect / Engineer. The aforesaid Circular / Office Order broadly envisages certain conditions, as contained therein.

Whereas significantly, the **Architect**, while sanctioning the building plan application, is required to inspect the site and ensure that the building plans are as per existing site conditions including existing construction, if any".

Whereas alongwith the application, ownership documents were submitted through online mode by the **Architect** and applicant. There are following documents relating to ownership of property:

1. Deed of Conveyance executed by Government in favour of Shri Locha Ram regarding P.No. 46-A, Begumpur;
2. Agreement to Sell dated 23.05.1993 executed by Shri Sukhbir Singh in favour of Shri R.P.Gupta;

 Contd..2..

3. The Sale-Deed dated 12.12.2023 executed by Mrs. Asha Mehta in favour of (i) Shri Varun Chhatwal and (ii) Shri Fakruddin for the entire built up property No. 46-A, area measuring 250 sq.yds. app., comprised in Khasra No.1min, situated in Hauz Rani Hamid Sarai, Abadi Begumpur: This documents indicates the past background and description of the property.

And Whereas it has been reported that being a case of property situated in a Village, the case is governed by the Notification dated 17.01.2011 / Master Plan-2021, to be read with relevant subsequent policy framed by the Town Planning Department. Thus, upon examination of the case, it was noticed that the case does not qualify for sanction of building plans under the aforesaid Notification / policy, with violations committed by the applicants and Architect (Professional), keeping in view the fact that

1. Not qualifying the provisions of said Notification dated 17.01.2011 in terms of sub-division, ownership, etc.
2. The property was booked by the Department on the ground of unauthorized construction of basement vide File No. 105/UC/B-I/SZ/2024 dated 28.05.2024 for actions under the DMC Act-1957.
3. The building plan was submitted by the applicants with the Architect on 04.06.2024 i.e. after booking of property.
4. During proceedings under Section 343 of the DMC Act-1957, the matter was referred to the Town Planning Department for ascertaining the factual position and their comments on the issues relevant to the case. The Town Planning Department, vide their comments dated 28.10.2024, informed that "according to ownership documents submitted by the applicants, it seems that the property in question was originally purchased from MOR via a Conveyance Deed in 1965. The site's location, as marked and verified by the Building Department on the Re-Development Plan, is designated as "Open" but the same does not fall in the area marked as "MOR land". The site was inspected and it was noticed that the site with size and shape does not tally with the Re-Development Plan. Though the applicants contended that the construction has been carried out is as per sanctioned building plans but such contentions have not been found tenable for the aforesaid comments of Town Planning Department. Hence, the demolition order under Section 343 of the DMC Act-1957 has been passed by the competent authority.

And Whereas upon noticing certain violations of the provisions of Notification dated 17.01.2011 / Master Plan-2021, to be read with relevant subsequent policy framed by the Town Planning Department, a Show-Cause-Notice under Section 338 of the DMC Act-1957, bearing No. D/1494/DC/Bldg.I/SZ/MCD/2025 dated 03.12.2025, was issued to the applicants and the Architect as to why the sanction of building plans be not revoked on the grounds, as contained therein. But no reply to the said Show-Cause-Notice has been received so far from the applicants as well as the Architect.

And Whereas it has been observed that the property under reference does not qualify for sanction of building plans, as per comments of Town Planning Department, and is not in conformity with the Re-Development Plan of the area.

Whereas as far as professional responsibilities and liabilities of the **Architect** are concerned, she was required to ensure at her level that the case qualifies for sanction of building plans in terms of status of colony, status of plot as per approved Development Plan / Layout Plan of the area, applicability of prevalent regulations notified in the Master Plan-2021, Unified Building Bye-Laws-2016 and DMC Act, 1957. The sanction of building plans has been accorded by the **Architect** at her level and obtained by the applicants, without ensuring that the case qualifies for sanction of building plans. Thus, she has failed to do so in the instant case and sanctioned the building plans at her level beyond his defined / assigned competency in violation of the laid down provisions and policy, thereby granting benefit to the applicants by sanctioning of building plans in an unlawful manner.

Whereas it is clear that sanction of building plans was obtained by the applicants and accorded by the **Architect** by suppression, concealment and misrepresentation of material facts. The onus for genuineness and correctness of the ownership and other allied documents / information etc submitted by the applicants at the time of sanction of building plans and ensuring that the case qualifies for sanction of building plans in terms of prevalent regulations notified in the Master Plan-2021, Unified Building Bye-Laws-2016 and DMC Act, 1957 jointly lies with the applicants as well as **Architect** only.

**PROVISIONS FOR REVOCATION OF SANCTIONED BUILDING PLANS:**

Whereas according to the Section 338 of DMC Act-1957, it has been mandated that sanction of building plans is liable to be revoked on the ground of misrepresentation / concealment of facts. The Provision No. 2.9 – Penal Action – 2.9.1- Revocation of Building Permit mandates as under:

**“The sanctioning authority shall revoke any building permit including sanction of building plan and / or occupancy-cum-completion certificate and take action as per law, if there has been any false statement or any mis-representation of material facts in the application on which the building permit was based.”**

In view of above expounded reported facts, the sanction of building plans is liable to be revoked under the aforesaid Section and Provisions of law.

**TAKING ACTION AGAINST THE PROFESSIONAL:**

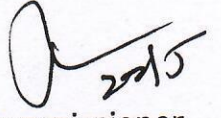
Whereas for taking action against the professionals i.e. **Architect** named above in the instant case, the bye-law No.2.9 – Penal Action – 2.9.3 of Unified Building Bye-Laws-2016 – Action against the Owner / Professional– mandate that

- (a) If the sanctioning authority notices that any owner / professional(s) has made false statement(s) or concealed material facts and mis-represented for obtaining building permit in contravention of the extant laws / bye-laws/rules & regulations, the sanctioning authority shall:
- i. De-list the professional(s) from all the sanctioning authorities in Delhi for a specified time period;
  - ii. The building permit shall be revoked;
  - iii. Details of the delisted professional(s) and the time frame for which they have been delisted shall be prominently displayed on the website of all the sanctioning authorities; and
  - iv. Action shall be taken against the owner / allottee / occupier by the sanctioning authority in accordance with the extant laws / bye-laws / rules & regulations.
- (b) In case of Architect(s), sanctioning authority shall inform the Council of Architecture (COA) regarding the act of the defaulting Architect(s) for taking suitable action for professional mis-conduct.

Now, therefore, I, Deputy Commissioner-South Zone –Municipal Corporation of Delhi, for the above mentioned reasons, hereby revoke the sanction of building plans accorded in respect of aforesaid **Property N. 46-A, KHASRA NO.1, VILLAGE BEGUMPUR, NEW DELHI online ID No. 20011453** sanctioned by the **Architect Aishwarya Aishwarya**. The work, if carried out at site in pursuance of said sanction of building plans, shall now be treated as unauthorized / illegal and is actionable as per DMC Act-1957 / law

The Architect namely **Ms Aishwarya Aishwarya** has not submitted any reply to the Show Cause Notice. Thus, based on the aforementioned facts, and in pursuance of provision of Unified Building Bye-Laws-2016, as well as for committing the violations of provisions of DMC Act, 1957, Master Plan-2021 as well as policy of

the Department, the **Architect Ms. Aishwarya Aishwarya** is hereby debarred from signing / submission of building plan applications, application for regularization of properties, Completion Certificate applications as well as Layout Plan Applications with Municipal Corporation of Delhi for a period of two years.

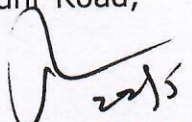
  
Deputy Commissioner  
South Zone

Shri Varun Chhatwal  
Shri Fakruddin  
P.No.46-A, Khasra No.1  
Village Begumpur  
**NEW DELHI**

Ms. Aishwarya Aishwarya  
Architect  
**(Licence No. CA/2017/81526)**

Copy for necessary action to:

1. Chief Town Planner
2. Chief Engineer (Bldg)HQ
3. AO - IT Department - for necessary action regarding uploading the Order in the instant case on the website.
4. Secretary - Council of Architecture, India Habitat Centre, Lodhi Road, New Delhi - for necessary action please.

  
Deputy Commissioner  
South Zone

01/06/26  
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