

The Delhi Development Authority (Permission Of Residential Land And Building For Use As Guest Houses) Regulations, 2003

DELHI

India

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Rule

THE-DELHI-DEVELOPMENT-AUTHORITY-PERMISSION-OF-RESIDENT of 2003

- Published on 11 March 2003
- Commenced on 11 March 2003
- [This is the version of this document from 11 March 2003.]
- [Note: The original publication document is not available and this content could not be verified.]

The Delhi Development Authority (Permission Of Residential Land And Building For Use As Guest Houses) Regulations, 2003 Published vide S.O. 275 (E), dated 11th March, 2003, published in the Gazette of India, Extra., Pt. II, Sec. 3 (ii), dated 11th March, 2003. In exercise of the powers conferred by sub-section (1) of section 57 of the Delhi Development Act, 1957, the Delhi Development Authority, with the previous approval of the Central Government, hereby makes the following regulations:

1. Short title and commencement.

- These Regulations shall be called the Delhi Development Authority (Permission of Residential Land and Buildings for Use as Guest Houses) Regulations, 2003.

2.

These shall come into force with effect from the date of notification.

3.

All words and expressions used in these Regulations, but not defined shall have the meaning assigned to them in the Delhi Development Act, 1957 or the Master Plan prepared and approved

The Delhi Development Authority (Permission Of Residential Land And Building For Use As Guest Houses) Regulations, 2003
under the said Act or the Delhi Municipal Corporation Act, 1957 as the case may be.

4.

If any, question arises relating to the interpretation of these Regulations, it shall be decided by the Government.

5. Definitions.

- In these Regulations unless there is any thing repugnant in the subject or context:(a)'Act' means the Delhi Development Act, 1957 as amended from time to time.(b)'Authority' means the Delhi Development Authority constituted under section 3 of the Act.(c)'Master Plan' means the Master Plan for Delhi for the time being in force.(d)'Chairman' means the Chairman of the Delhi Development Authority.(e)'Vice-Chairman', means the Vice-Chairman of Delhi Development Authority.(f)'Permission Fee' means the fee payable for permitting the use of land and building for Guest Houses in contravention of the plans.(g)'Special Area' means the area as delineated in the Master Plan for the time being in force.

6. The manner to allow permission.

(a)The permission shall not be general to the residential lands and buildings but shall be case specific. The following shall be the terms and conditions to allow permission for operation of the Guest Houses in residential areas:(1)The minimum size of the residential plot shall be 209 sq.mts. facing road of minimum width 18 mtrs. (9 mtrs. in Special Area and 13.5 mtrs. in Rehabilitation Colonies).(2)A maximum of 3/4th of the floor area shall be allowed for permission regardless of the size of the plot.(3)The maximum size of the plot will be 1000 sq. mtrs.(4)A maximum of 15 guest rooms will be permitted.(5)Such permission shall be allowed only in the buildings which stand regularised/approved/sanctioned by the DDA/Local Body as per Building Bye Laws for the time in force.(6)All parking requirement of plot size will meet the Equivalent Car Space prescribed for this purpose.(7)It will be ensured that no nuisance or hardship is created for local residents.(8)No commercial activity in the form of Canteen or Restaurant will be permitted. However, catering will be allowed only for the residents of Guest Houses.(9)They shall also confirm the other statutory requirements.

7. Competent authority.

- In Delhi Development Authority, Vice-Chairman, DDA or any other officer nominated by him shall be the competent authority for grant of permission. For other local bodies, Competent Authority would be as notified by the concerned local body.

8. Application.

(a) Application for the permission shall be made in the specific format as may be prescribed by the Authority along with the location plan and the documents of ownership/title. (b) The application in the prescribed format shall be submitted to the Vice- Chairman, DDA or any other officer nominated by him or designated Competent Authority and shall be entered in a register kept for that purpose. For other local bodies, Competent Authority would be as notified by the concerned local body.

9. Permission fee.

(a) The permission shall be granted by the Competent Authority only on payment of permission fee: (b) Where residential premises are already being put to such non-residential use, the same shall be permitted on the payment of permission fee. (c) Such conversion charges /permission fee shall be applicable as per the approval/ revision from time to time by the Competent Authority/ Ministry of Urban Development. (d) Permission fee collected would put in an escrow account to be utilised by respective local bodies for upgradation of infrastructure and services in the residential areas. Revision of such Permission Fee shall be applicable as per recommendation of the Authority from time to time and approved by the Ministry of Urban Development. Penal action. - In case of violation of the above said provisions, action shall be taken under the relevant provisions of the Act.