

DOGRA

COMMITTEE

REPORT

10.01.2007

Sub: Report of the Committee set up by Govt. of India to look into the issues of additions/alterations in DDA and Co-operative Group Housing Society's Flats.

INTRODUCTION

1.1 The Ministry of Urban Development, Govt. of India vide its Order No. K-12016/10/2006-DDIB dated 19.09.06 constituted a Committee to look into issues regarding additions/alterations in DDA and Co-operative Group Housing Society's Flats (Refer Annexure 1 (A)). The Committee comprised of the following:-

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| 1. Sh. H.S. Dogra, Addl. Director General (Border), CPWD | Chairman |
| 2. Sh. A.K. Sarin, Engineer Member, DDA | Member |
| 3. Smt. Asma Manzar, Commissioner (Housing) DDA | Member |
| 4. Sh. Sanjib Sen Gupta, Chief Architect, NDMC | Member |
| 5. Sh. M.N. Dass, In-charge of Building, MCD | Member |
| 6. Dr. S.P. Bansal, Addl. Commissioner (Plg.) III, DDA | Member
Convener |

1.2 The terms of reference of the Committee were as follows:-

- (i)** To examine the desirability and/or feasibility of allowing additions/alterations/more covered area in DDA flats and dwelling units of other group housing buildings/premises, specifically keeping the structural safety issues in view.

- (ii)** If so, to recommend principles and modalities for dealing with such deviations and excess coverage and suggest modification/ amendment in the list of additions/alterations/excess coverage categorized as condonable, permitted with intimation/permission

categorized as condonable, permitted with intimation/permission and additional coverage permitted with prior permission.

(iii) To indicate quantum of compounding fees to be charged while permitting such additions/alterations.

(iv) To consider matters related or incidental to any issue of the reference mentioned above and make recommendations thereon.

1.3 The Committee was requested to finalize its recommendations initially within a period of two months, and subsequently the same was extended up to 31.12.06 (Refer Annexure IB).

1.4 In pursuance of its mandate, Committee decided to co-opt the following key-resource persons/experts (Refer Annexure II) for their valued input:

(a) Secretary DUAC or his nominee

(b) Sh. R.C. Sharma, Chief Fire Officer, Delhi

(c) Sh. V.D. Dewan, Chief Architect, DDA

(d) Sh. S.K. Goel, Financial Advisor (Housing), DDA

(e) Sh. R.M. Lal, Director (Building), DDA

The Secretary, DUAC vide letter dt. 05.10.06 & 10.11.06 indicated that DUAC would be giving its observations, separately at appropriate time.

1.5 In order to understand the view points of all concerned, the Committee decided to invite written observations/suggestions from interested persons, Residents Welfare Associations of DDA & Group Housing Society's flats, their Federations etc. on issues related with the terms and reference of the Committee. The advertisement in this regard was

published in the leading newspapers and also through E-mail address of DDA website (Refer Annexure III).

- 1.6** In response to the advertisement, over 60 written suggestions were received by the Committee. It contained observations / suggestions from individuals, RWAs of DDA and CGHS flats, Federation and the Societies. These may be seen at Annexure IV. As part of this process, face to face interactions with the concerned groups and individuals, a public hearing was held by the Committee on 11.11.06 where a large number of people participated in groups. Based on above, a summarized analysis of salient suggestions have been made and the same is annexed at Appendix II (a), II (b), and Appendix III (a), III (b) for reference.
- 1.7** The committee held meetings with the Chief Secy. Govt. of Delhi, Commissioner (Planning), DDA. Jt. Secy. (Delhi Division), Ministry of Urban Development, Addl. Director General (Architecture), CPWD. The Committee also requested for written submissions from a number of key officials and individuals, who were identified during its meetings. The valuable views received in this regard have also been provided in the Annexure IV. The Committee reviewed the existing guidelines entitled "Policy and procedure for permission and regularization of additions/alterations in DDA Flats" approved by the Ministry. The report of Tajendra Khanna Committee and the provisions of Draft MPD – 2021 also provided valued input to the deliberations of the Committee.
- 1.8** In order to understand the ground realities, the Committee also organized a site visit to a few DDA and CGHS colonies. The background material/photograph of Housing Enforcement Deptt. of DDA was also made available to the Committee. These area also placed as Annexure V A & B.

2.0 RECOMMENDATIONS

- (i)** The Committee reviewed the present policy and procedure for permission and regularization of additions/alterations in DDA flats in the background of observations and suggestions received and also the input provided by the DDA and MCD. The Committee members expressed their serious concern about the gross additions / alterations that have taken place, specially in DDA Group Housing flats over the years. It was noted that some of these are not only dangerous to the structural stability of the flats, but are affecting the basic design, health parameters (light and ventilation) and aesthetics. In many cases, the facades and the elevations have changed completely. Although, the members in general were supportive of providing limited flexibility (without compromising the structural design and other basic parameters), it was unanimously felt that even the additions/alterations already allowed in DDA flats need to be rationalized. The flexibility of additions/alterations already allowed in DDA flats need to be rationalized. The flexibility of additions/alterations after rationalizations also need to be extended to Co-operative Group Housing Society (CGHS) too.

- (ii)** In all such cases where owner/residents have undertaken additions/alterations in Group Housing flats which are within the permissible limits as per the guidelines, those be considered for regularization.

- (iii)** To deal with all the existing additions/alterations in DDA Group Housing, the Committee recommends following guidelines:

 - (a)** Wherein the owners have constructed a room or taken up other additions/alterations with prior permissions of DDA/

MCD in accordance with the policy. There is no alternative except to treat them as regularized additions/alterations.

- (b)** In cases where the additions/alterations have been done by the owners in accordance with the policy laid down on the subject, but without prior permission of DDA/ MCD. The committee felt that a chance be given to all such owners to regularize the said unauthorized construction. For this, a press notice giving three months time can be published in leading news papers requesting them to apply for regularization of such unauthorized constructions to the concerned authority such as DDA/MCD within three months failing which such additions/alterations will be treated as unauthorized constructions and necessary action for demolishing the same will be taken up by DDA / MCD. Such constructions will be regularized in accordance with the policy and subject to payment for additional covered area as referred in Appendix – I
- (c)** Wherein the owners have taken up massive unauthorized construction such as addition of floor, changing the basic structure etc. it will be treated as unauthorized additions. These additions/alterations are neither covered under the existing policy guidelines nor have owners obtained any prior permission from DDA/MCD.

It was decided by the Committee that a chance will be given to such owners by publishing a press notice giving three months time to remove such unauthorized construction at their own failing which the same will be removed by DDA/MCD at the cost of the owner. For this purpose RWA's can be declared as

Nodal Agencies who will monitor and submit list of all flats who have carried out such unauthorized constructions.

- (iv)** Keeping in view of the fact that in many areas, the Group Housing flats built by DDA, other Government agencies, cooperatives etc, have not utilized the permissible development norms in term of FAR, density etc, and they also need major repair/redevelopment on account of this. The redevelopment of such pockets with prevailing development control norms i.e. for ground coverage, FAR etc not only amount to intense utilization of scarce urban land but would also encourage constructions of few housing stock as per the current socio-economic needs. The Committee recommends additional construction/redevelopment of all such areas meeting the revised Gr. Coverage/FAR norms for CGHS schemes subject to prior approval of all statutory authorities.
- (v)** The Committee was also supportive of the demand for provision of lifts keeping in view the requirements of physically challenged as well as growing elderly population. The detailed guideline for provision of lifts is already under consideration of a separate Committee.
- (vi)** The Committee was unanimous in not allowing additional floor in DDA Group Housing as well as in CGHS Scheme. The Committee was also not in favour of permitting/regularizing any encroachment on public land/common area. Both these are likely to compromise the laid down services and structural stability of the building.
- (vii)** After lot of discussion, following specific additions/alterations were unanimously agreed upon in respect of both DDA Group Housing flats as well as CGHS.

- (a)** Grills and glazing in Verandah with proper fixing arrangements, subject to conformity with the fire safety norms.
- (b)** Raising height of front and rear courtyard wall up to 7' feet (height) by putting up jali / fencing.
- (c)** Providing door in courtyard, where ever not provided abutting road/service land but not into the park. The door to open inside the property line.
- (d)** Providing sun shades on doors and windows wherever not provided with proper fixing arrangements, as per Building – bye-laws.
- (e)** Closing the door / doors.
- (f)** If the bathroom or WC are not having roof, these may be treated as open urinals and be allowed.
- (g)** Raising the wall of balcony / terrace parapet with grill or glazing up to 5' feet height subject to conformity with the fire safety norms.
- (h)** Construction of open staircase (cat ladder) where no stair case has been provided for approach to the terrace (refer – condition about terrace right).
- (i)** To put/provide additional PVC water tank at ground floor area without disturbing the common passage.

- (j)** To provide an additional PVC water tank in the scooter/car garage at the surface level.
- (k)** To provide loft/shelf in the rooms without chase in the walls.
- (l)** To change the flooring with water proofing treatment.
- (m)** To remove half (4 and ½ inches) brick wall.
- (n)** To make a ramp at front gate without disturbing the common passage / storm water drain.
- (o)** To provide sun shades on the outer windows up to 2' wide projection.
- (p)** To provide false ceiling in rooms.
- (q)** To make an opening of maximum size of 2'6" × 1'9" for exhaust fan or air-conditioner in existing walls.
- (r)** Fixing of door in back and front courtyard, abutting roads/ service lanes but not into the park. The door to open inside the property line.
- (s)** Converting of window into almirah subject to availability of light and ventilation as per building bye-laws provided that no structural elements are disturbed and there is no projection extending beyond the external wall.
- (t)** Shifting of water storage tank/raising of parapet wall upto 5' height and putting additional water storage tank.

Wherever the existing water storage tank capacity is less than 500 liters in a flat, the existing water storage tank can either be replaced by a 500 liters tank or, if possible, the additional tank can be added so as to make the total storage capacity up to 550 liters. However, such replacement / provision of additional tank will be done only on the locations specified for such tanks and the supporting beams will be required to be strengthened suitably. Parapet walls around terrace can be increased to a height of 5'.

- (u) To shift the front glazing of windows up to those chajjas indicated in the original approved drawings.

(viii) ADDITION/ALTERATION (S) PERMITTED WITH PRIOR INTIMATION / PERMISSION:

Following addition (s) alteration (s) can be carried out with prior intimation / permission of the concerned agency i.e. DDA / MCD as per the prescribed procedure:

- (a) Interchange the position of kitchen, bath room & WC with proper connections subject to structure safety. To carryout this interchange, all the allottees of one vertical stack will have to apply jointly to the concerned agency.
- (b) Construction of bath room and WC in the rear courtyard.
- (c) Covering of open terrace with sloping roofs upto 9' height with light weight material e.g. fibre glass / AC sheets / GI sheets with pipes and standard angle iron section etc. and enclosing with glazing.

(ix) ADDITIONAL COVERAGE PERMITTED WITH PRIOR PERMISSION:

(a) Covering of courtyard and floor level terraces is allowed subject to fulfillment of building bye-laws and structural safety.

(b) In three or four storeyed flats the owners at upper floor shall have the right to cover the area available as a result of coverage of courtyard of floor below. In such cases the residents of DDA flats in a vertical stack served by the same staircase should give their consent and jointly apply for permission.

(c) In two storeyed flats the allottee at first floor will have no right of construction above the courtyard built by ground floor allottee provided no construction was done earlier on the terrace.

(x) In CGHS colonies temporary fiber glass coverage in the set back area may be allowed for parking purposes. Similarly proposals of under ground parking below green areas can be considered on case to case basis and subject to clearance by CFO.

(xi) In some DDA colonies, appurtenant land to the ground floor flat has been enclosed by residents with a compound wall. Such protection may be allowed on temporary basis subject to one time payment of @ 5% of the land rates recommended in Appendix – I provided that the land is not used for additional coverage

(xii) GENERAL CONDITIONS:-

All the additions / alterations and additional coverage will be governed by six basic principles:-

- There is no encroachment on the public land

- Structural stability of the building is ensured.
- Light and ventilations of the habitable rooms is ensured as per the Building-bye-laws.
- There is no infringement on other's right.
- The service elements such as man-hole, rainwater fittings, sanitary fitting etc. are not disturbed and remain exposed for periodical inspection and maintenance.
- Terrace should be approachable to all the residents of that block and the terrace rights to vest with the society / R.W.A.

(H.S. Dogra)
Addl. Director General (Border)
CPWD – Chairman

A.K. Sarin
Engineer Member DDA
Member

Asma Manzar
Commissioner (Housing)
DDA-Member

Sanjib Sen Gupta
Chief Architect, NDMC
Member

M.N. Dass
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Dr. S.P. Bansal
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