

Delhi Development Authority (Levy/Charges for Residential Plotted Development) Regulations, 2006

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Delhi Development Authority (Levy/Charges for Residential Plotted Development) Regulations, 2006

S.O.1992(E).--In exercise of powers conferred by Section 57 of the Delhi Development Act, 1957 (61 of 1957), the Delhi Development Authority with the previous approval of the Central Government, hereby makes the following Regulations :--

1. Short Title and Commencement :-

(1.1) These Regulations shall be called "The Delhi Development Authority (Levy/Charges for residential plotted development) Regulations, 2006".

(1.2) These Regulations shall come into force from the date of publication of this Notification in the Gazette of India.

(1.3) 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 under the said Act or the Delhi Municipal Corporation Act, 1957 or the New Delhi Municipal Council Act, 1994, as the case may be.

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

2. Definitions :-

In these regulations, unless the context otherwise requires,

- (a) "Act" means the Delhi Development Act, 1957 as amended from time to time.
- (b) "Betterment Levy or Additional FAR Charges" means the levy payable on the additional FAR allowed vide notification dated 23.7.98 and over the FAR allowed vide notification dated 15.5.95.
- (c) "Category of colonies" means categorization of colonies from (A) to (G) as adopted by the Municipal Corporation of Delhi (MCD) for unit area method of property tax assessment.
- (d) "Development Norms" means the norms prescribed in Master Plan for Delhi for constructions of Residential Plotted Development as per modified norms laid down in the Notification SO(1591(E) dated 22.9.2006.
- (e) "Escrow Account" means a dedicated savings account held by the Local Body concerned not being operative unless the conditions for which it has been opened are fulfilled in accordance with the provisions of these Regulations.
- (f) "Local Authority" means the local authority concerned such as Municipal Corporation of Delhi (MCD), New Delhi Municipal Council (NDMC) and the Delhi Development Authority (DDA), in their respective jurisdiction.
- (g) "Master Plan" means Master Plan for Delhi framed and notified under the provisions of Delhi Development Act, 1957.

3. Application :-

These Regulations shall apply to all plotted development in the areas covered under Municipal Corporation of Delhi, New Delhi Municipal Council, and the Delhi Development Authority subject to certain terms and conditions laid down in the Master Plan of Delhi as amended vide Notification No. S.O.1591 (E) dated 22.09.2006.

4. Betterment Levy/ Additional Far Charges and Penalty / Compounding Charges / Special Compounding Charges :-

(4.1) The plot owners/allottees seeking extra coverage, additional floor or part thereof, over and above Gazette Notification dated 23.07.1998, as per the norms defined in the notification dated 22.9.2006, shall be charged betterment levy (or additional FAR Charges).

(4.2) Plot owners/allottees seeking regularization of construction

over the coverage allowed as per notification dated 23.7.1998 in terms of the additional coverage allowed under the notification dated 22.9.2006, shall have to pay penalty and compounding charges over and above the betterment levy referred to in para 4.1 above.

(4.3) Plot owners/ allottees seeking sanction/regularization of additional coverage over the development control norms as per 15.5.1995, shall also be liable to pay penalty and compounding charges over and above the betterment levy referred to in para 4.1 above, at the rates hereinafter prescribed, for availing of additional coverage permissible vide notification dated 23.07.1998.

(4.4) Plot owners/allottees seeking regularization of additional height in terms of notification dated 22.9.2006 ,will have to pay penalty and special compounding charges, in addition to the betterment levy referred to in para 4.1 above.

5. Rates of Payment of Betterment Levy/ Additional Far Charges and Penalty/Compounding Charges/ Special Compounding charges :-

(5.1) As per sub-para (ix) to (xi) of Notification dated 22.9.2006, the Plot owners / allottees shall be subject to levy of:-

(i) Betterment Levy or Additional FAR Charges in respect of new construction;

(ii) Compounding Charges / Penalty / Special Compounding Charges for regularization of following unauthorized constructions:

(a) Additional Coverage within sanctioned height;

(b) Additional Coverage above sanctioned height but within permissible limit as per notification dated 23.7.98;and

(c) Additiona

(5.2) The Charges for the financial year 2006-07 as approved by the Government of India shall be as follows.

(Rates in Rs. per sqm)

S. No.	Purpose	A & B Colonies'	C & D Colonies	E, F & G Colonies: in plots of more than 50	E, F & G Colonies: in plots of upto 50 sqm.

				sqm.	
1.	New Construction	3500/-	1400/-	700/-	490/-
2.	Regularization of unauthorized construction				
(a)	Additional Coverage within sanctioned height.	4020/-	1610/-	805/-	564/-
(b)	Additional Coverage above sanctioned but within permissible height(as per 23.7.98)	4375/-	1750/-	875/-	613/-
(c)	Additional Coverage beyond permissible height as per 23.07.1998 but within 15 metres	4900/-	1960/-	980/-	686/-

(5.3) These rates will remain in force in respect of subsequent years unless specifically revised and notified with the approval of the Central Government.

6. Utilization :-

(6.1) The amount so collected shall be deposited in an ESCROW ACCOUNT by the local authority concerned for incurring expenditure for developing parking sites, augmentation of amenities/ infrastructure and environmental improvement programmes.

(6.2) A separate account of the income and expenditure of the Escrow Account shall be maintained by the local authority and a quarterly statement of the same shall be rendered by the local authority to the Government.

7. Conditions for Regularization of Additional Construction

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(7.1) Encroachment on public land shall not be regularized and shall be removed first, before the Local authority grants sanction for regularization of additional construction/height.

(7.2) Every applicant seeking sanction or regularization of additional FAR and/or height shall submit a certificate of structural safety obtained from a structural engineer. Where such certificate is not submitted or the Building is otherwise found to be structurally unsafe, formal notice shall be given to the owner by the local authority concerned, to rectify the structural weakness within a reasonable stipulated period, failing which, the building shall be declared unsafe by the local authority concerned and shall be demolished by the owner or the local authority.