

शहरी विकास विभाग
राष्ट्रीय राजधानी क्षेत्र: दिल्ली सरकार
9वां तल, सी-विंग, दिल्ली सचिवालय, इन्द्रप्रस्थ एस्टेट, नई दिल्ली


विधायक का नाम : श्री जरनैल सिंह
दिनांक : 23.08.2019
विधान सभा अतारंकित प्रश्न संख्या : 126

क्या शहरी विकास मंत्री यह बताने की कृपा करेंगे कि :-

क्र. सं.	प्रश्न	उत्तर
क	क्या एमपीडी-2021 के मुताबिक व्यावसायिक कार्यालय, मॉल्स व अस्पतालों में पार्किंग क्षेत्र को एफएआर से मुक्त रखा गया है जिसका व्यावसायिक इस्तेमाल नहीं हो सकता;	<p>दिल्ली छावनी परिषद एमपीडी-2021 दिल्ली छावनी परिषद पर लागू नहीं है तथापि दो पार्किंग लोट्स उपलब्ध किए गए हैं : सदर बाजार व शास्त्री बाजार। दिल्ली छावनी परिषद में पार्किंग सुविधा निःशुल्क है।</p> <p>नई दिल्ली नगरपालिका परिषद, दिल्ली शहरी आश्रय सुधार बोर्ड, उत्तरी दिल्ली नगर निगम, दक्षिणी दिल्ली नगर निगम एवं पूर्वी दिल्ली नगर निगम ने बताया है कि, एमपीडी - 2021 के अनुसार, पार्किंग हेतु स्वीकृत भूमिगत तल एफएआर से मुक्त है तथा इसका व्यावसायिक इस्तेमाल नहीं किया जा सकता।</p> <p>नोट:- दिल्ली मास्टर प्लान की प्रतिलिपि पृष्ठ संख्या 273, 274 और 275 संलग्न की जा रही है। अनुलग्नक 'क'</p>
ख	दिल्ली में कुल कितने व्यावसायिक कार्यालय, मॉल्स व अस्पताल हैं जहां एमपीडी-2021 का उल्लंघन करके पार्किंग चार्ज लिया जा रहा है;	<p>दिल्ली छावनी परिषद एमपीडी-2021 दिल्ली छावनी परिषद पर लागू नहीं है तथापि दो पार्किंग लोट्स उपलब्ध किए गए हैं : सदर बाजार व शास्त्री बाजार। दिल्ली छावनी परिषद में पार्किंग सुविधा निःशुल्क है।</p> <p>नई दिल्ली नगरपालिका परिषद एमपीडी - 2021 में पार्किंग चार्ज (खण्ड 'क') के बारे में कोई जिक्र नहीं है। यद्यपि एमपीडी 2021 के अनुसार, दिल्ली विकास प्राधिकरण ने पार्किंग चार्जिंग की नीति का निष्कर्ष करना होगा।</p> <p>दिल्ली शहरी आश्रय सुधार बोर्ड डूसिब विभाग के अन्तर्गत आने वाले मॉल्स जो कि डूसिब भूमि की लीज पर उपस्थित हैं। उनकी सूची संलग्न है। अनुलग्नक 'ख'</p> <p>इस सन्दर्भ में डूसिब द्वारा सभी मॉल्स को पार्किंग चार्ज के सम्बन्ध में नोटिस जारी किया गया है। जिसको उप आयुक्त दक्षिण नगर निगम और निदेशक (भवन) दिल्ली विकास प्राधिकरण को आवश्यक कार्यवाही हेतु प्रेषित की गयी है। चूंकि भवन सम्बन्धी नियम की देख रेख की जिम्मेदारी इन्हीं विभागों की है। प्रतिलिपि संलग्न है। अनुलग्नक 'ग'।</p> <p>पूर्वी दिल्ली नगर निगम पूर्वी दिल्ली नगर निगम के प्रस्ताव संख्या 73 दिनांक 27.08.2018 के अनुसार पूर्वी दिल्ली नगर निगम के अधिकार क्षेत्र के अन्तर्गत 06 अस्पताल एवं 07 मॉल्स में पार्किंग चार्ज नहीं लिया जा रहा है।</p>

		<p>उत्तरी दिल्ली नगर निगम उत्तरी दिल्ली नगर निगम द्वारा जारी पत्र सं. 825 दिनांक 15.11.2018 एवं पत्र संत्र 837 दिनांक 20.11.2018 (जिनकी प्रतिलिपि अनुलग्नक 'क' पर संलग्न है) पत्रों में दिये गये निर्देशों का पालन न करने वालों पर क्षेत्रीय कार्यालयों द्वारा डीएमसी एक्ट के तहत कार्यवाही की जाती है।</p> <p>दक्षिणी दिल्ली नगर निगम दक्षिणी दिल्ली नगर निगम के पश्चिमी क्षेत्र, मध्य क्षेत्र एवं नजफगढ़ क्षेत्र के व्यावसायिक कार्यालय, मॉल्स व अस्पतालों में किसी प्रकार का पार्किंग चार्ज नहीं लिया जा रहा है, हालांकि दक्षिणी क्षेत्र के अंतर्गत निम्नलिखित मॉल्स में माननीय उच्च न्यायालय के आदेशानुसार पार्किंग चार्ज वसूला जा रहा है।</p> <table border="1" data-bbox="803 537 1469 792"> <thead> <tr> <th>S.No.</th> <th>Name of Malls</th> </tr> </thead> <tbody> <tr> <td>1.</td> <td>DLF Emporia, Vasant Kunj.</td> </tr> <tr> <td>2.</td> <td>DLF Promenade Mall, Vasant Kunj.</td> </tr> <tr> <td>3.</td> <td>Ambience Mall, Vasant Kunj</td> </tr> </tbody> </table>	S.No.	Name of Malls	1.	DLF Emporia, Vasant Kunj.	2.	DLF Promenade Mall, Vasant Kunj.	3.	Ambience Mall, Vasant Kunj
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ग	<p>जब एमपीडी-2021 में यह व्यवस्था की गयी है कि पार्किंग क्षेत्र का व्यावसायीकरण नहीं किया जाएगा तो क्या कारण है कि दिल्ली में बहुत सारे कार्यालय, मॉल्स व अस्पतालों द्वारा पार्किंग चार्ज वसूले जा रहे हैं, और</p>	<p>दिल्ली छावनी परिषद् एमपीडी-2021 दिल्ली छावनी परिषद् पर लागू नहीं है तथापि दो पार्किंग लोट्स उपलब्ध किए गए हैं : सदर बाजार व शास्त्री बाजार। दिल्ली छावनी परिषद् में पार्किंग सुविधा निःशुल्क है।</p> <p>नई दिल्ली नगरपालिका परिषद् एमपीडी - 2021 में पार्किंग चार्ज (खण्ड 'क') के बारे में कोई जिक्र नहीं है। यद्यपि एमपीडी 2021 के अनुसार, दिल्ली विकास प्राधिकरण ने पार्किंग चार्जिंग की नीति का निष्कर्ष करना होगा।</p> <p>दिल्ली शहरी आश्रय सुधार बोर्ड उपरोक्त 'ख' के अनुसार।</p> <p>पूर्वी दिल्ली नगर निगम पूर्वी दिल्ली नगर निगम के प्रस्ताव संख्या 73 दिनांक 27.08.2018 के अनुसार पूर्वी दिल्ली नगर निगम के अधिकार क्षेत्र के अन्तर्गत 06 अस्पताल एवं 07 मॉल्स में पार्किंग चार्ज नहीं लिया जा रहा है।</p> <p>उत्तरी दिल्ली नगर निगम उत्तरी दिल्ली नगर निगम द्वारा जारी पत्र सं. 825 दिनांक 15.11.2018 एवं पत्र संत्र 837 दिनांक 20.11.2018 (जिनकी प्रतिलिपि अनुलग्नक 'क' पर संलग्न है) पत्रों में दिये गये निर्देशों का पालन न करने वालों पर क्षेत्रीय कार्यालयों द्वारा डीएमसी एक्ट के तहत कार्यवाही की जाती है।</p> <p>दक्षिणी दिल्ली नगर निगम उपरोक्त 'ख' के अनुसार।</p>								
घ	<p>इस लापरवाही के लिए किस-किस विभाग के कौन-कौन से अधिकारी जिम्मेदार हैं, उनका पूर्ण ब्यौरा दिया जाए ?</p>	<p>दिल्ली छावनी परिषद् एमपीडी-2021 दिल्ली छावनी परिषद् पर लागू नहीं है तथापि दो पार्किंग लोट्स उपलब्ध किए गए हैं : सदर बाजार व शास्त्री बाजार। दिल्ली छावनी परिषद् में पार्किंग सुविधा निःशुल्क है।</p> <p>नई दिल्ली नगरपालिका परिषद् एमपीडी - 2021 में पार्किंग चार्ज (खण्ड 'क') के बारे में</p>								

	<p>कोई जिक्र नहीं है। यद्यपि एमपीडी 2021 के अनुसार, दिल्ली विकास प्राधिकरण ने पार्किंग चार्जिज की नीति का निष्कर्ष करना होगा।</p> <p>दिल्ली शहरी आश्रय सुधार बोर्ड उपरोक्त 'ख' के अनुसार।</p> <p>पूर्वी दिल्ली नगर निगम पूर्वी दिल्ली नगर निगम के प्रस्ताव संख्या 73 दिनांक 27.08.2018 के अनुसार पूर्वी दिल्ली नगर निगम के अधिकार क्षेत्र के अन्तर्गत 06 अस्पताल एवं 07 माल्स में पार्किंग चार्ज नहीं लिया जा रहा है।</p> <p>उत्तरी दिल्ली नगर निगम उत्तरी दिल्ली नगर निगम द्वारा जारी पत्र सं. 825 दिनांक 15.11.2018 एवं पत्र संत्र 837 दिनांक 20.11.2018 (जिनकी प्रतिलिपि अनुलग्नक 'क' पर संलग्न है) पत्रों में दिये गये निर्देशों का पालन न करने वालों पर क्षेत्रीय कार्यालयों द्वारा डीएमसी एक्ट के तहत कार्यवाही की जाती है।</p> <p>दक्षिणी दिल्ली नगर निगम उपरोक्तनुसार लागू नहीं होता।</p>
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 SECRETARY
 Deptt. of D.D.P. of Delhi
 D.D.P. Secretariat
 I.P. Estate, New Delhi-02

MPD-2021 modified upto 31/12/2018

- iii) In all TOD projects, boundary walls along any edge facing a public open space viz. pathway, road, park, etc. shall be prohibited. In case enclosure of sites is required, translucent fencing shall be used.]

8(4) PARKING STANDARDS

Parking Standards have been prescribed in each use premises however, where it is not prescribed, it will be followed as given in the Table 17.2.

Table 17.2: Parking Standards

Sl. No.	Use	Residential Equivalent Car Spaces (RCS) per 100 sqm of built area (sqm)
1.	Residential	2.0
2.	Commercial	3.0 ¹ [**]
3.	Manufacturing	2.0
4.	Government	1.8
5.	Public and Semi Public-Facilities	2.0
1[6.	All Use Premises within TOD Zone	1.33]

¹[Notes:

* Additional parking may be created within integrated schemes only as paid, shared parking facilities accessible to general public at all times.

** Planned commercial centres may be developed / redeveloped as per integrated schemes, in which mixed use component may be introduced along with comprehensive PMD plans, feeder systems, public spaces, etc. In such cases, parking norms may be rationalized and ECS norms for mixed use may be applied subject to approval of Technical Committee of DDA. Activities permitted shall be as per Table 5.1 of the Master Plan.]

- i) In existing buildings having plot area of more than 2000 sqm., an extra ground coverage of 5% shall be permissible for construction of automated multi-level parking to provide dedicated parking structures for additional needs.
- ii) For the provision of car parking spaces, the space standards shall be as given in Table 17.3.

Table 17.3: Space Standards for Car Parking

Sl. No.	Category	Space Standards (sqm)
1.	Open	23
2.	Ground floor covered	28
3.	Basement	32
4.	Multi level with ramps	30
5.	Automated multilevel with lifts	16

¹ Added vide S.O. 1914 (E) dated 14-07-2015

- iii) In the use premises, parking on the above standards shall be provided within the plot.
- iv) ¹[In cases, where the building (except hotel) with sanctioned plan is existing/ under construction and where building plans stand sanctioned as per MPD-2001, the parking is to be provided for additional FAR availed, shall be as per the parking standards prescribed in MPD- 2021.]
- ²[v) Parking is one of the utilities permitted in all use zones except in regional park / ridge, Recreational Open Space and parks as per the approved Zonal Plan/ layout plan.
- vi) The standards given in Equivalent Car Space (ECS) shall include parking for all types of vehicles i.e. cars, scooters, cycles, light and heavy commercial vehicles, buses etc. Parking adequacy statement / study for large projects like Stadia, Shopping Malls, Multiplexes will be desirable. Mode-wise parking spaces are to be marked on drawings to be submitted for approval.]

²[Table 17.4: Indicative On-site Parking (ECS) Requirements for projects*

Mode	ECS Standard by mode	Area in Sq.m. (including circulation)	Distribution by mode - per 1 ECS / 100 sq.m. of Built Up Area for all projects	Distribution by mode per 1 ECS / 100 sq.m. of Built Up Area within TOD Zone.
Cars/ Taxis	1	23.00	0.60	0.60
2 Wheelers	0.25	5.75	0.25	0.10
Cycles	0.1	2.30	0.05	0.10
Buses/ Shared Vans	3.5	80.50	0.05	0.10
Commercial vehicles	3.5	80.50	0.05	0.10
Total			1.00 ECS	1.00 ECS

* The above figures are indicative and may be customized on case to case basis. However minimum proportion of cycle parking is mandatory.]

8(5) BASEMENTS

- a) Basement(s) upto the setback line maximum equivalent to parking and services requirement, such as Air Conditioning Plant and equipment, water storage, Boiler, Electric Sub-Station HT and LT Panel rooms, Transformer Compartment, Control Room, Pump House, Generator Room and other mechanical services and

¹ Added vide S.O. 1603(E) dated 17-07-2012 and S.O. 1706(E) dated 26-07-2012

² Added vide S.O. 1914 (E) dated 14-07-2015

installation of electrical and fire fighting equipments, and other services required for the maintenance of the building with prior approval of the concerned agencies, could be permitted and not to be counted in FAR. ¹[In case of Hotels Laundry, Cold Room for storing Food articles, Linen store, Garbage room, Housekeeping store and cold storage may be allowed.]

- b) ²[The basement(s) beyond building line shall be kept flushed with the ground and shall be ventilated with mechanical means of ventilation; and]
- c) Basement(s) shall be designed to take full load of the fire tender, wherever required and subject to adequate safety measures.
- d) In case the basement is used for activity in conformity with the use premises, wherever permitted, the same shall be counted in FAR subject to clearance from the Fire Authorities and other statutory bodies.
- e) Parking area, if misused, is liable to be municipalized / taken over by the Local Body / Authority.
- f) The ESS, fire, fighting installations and underground water tank shall neither be counted in ground coverage nor in FAR.

³[8(6) SERVICES PLAN

The Developing Agency should provide for the following in layout plans of plots of size 3000 sq.m and above:

- i) Recycling of treated waste water with separate lines for potable water and recycled water. Dual piping system to be introduced.
- ii) Ground water recharge through rain water harvesting, conserving water bodies and regulating groundwater abstraction.
- iii) Treated sewage effluent should be recycled for non-potable uses like gardening, washing of vehicles, cooling towers, etc.
- iv) Utilities such as, underground water storage tank, roof-top water harvesting system, separate dry and wet dustbins etc. are to be provided within the plot.

¹ Modified vide S.O. 678(E) dated 04-03-2014

² Modified vide S.O. 1215(E) dated 13-05-2013

³ Added vide S.O. 2894(E) dated 23-09-2013

List of malls given on lease hold basis situated on DUSIB Land is as under:

Sr. No	Name of agency	Name of mall present status
1	4,5,6,	M/s GPS Properties
2.	7	M/s Sewa International Fashion Pvt. Ltd
3.	8	M/s Discovery Estate Pvt. Ltd..
4.	2	M/s ESS CEE CEE (India) Pvt. Ltd.
5.	10	M/s R.S. Sood & Company Pvt. Ltd.
6.	11	M/s Vardhman Land Developers Pvt. Ltd. & M/s Pushpanjali Pvt. Ltd.

8

31/01/18-51

DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVT. OF NCT OF DELHI
R.P. CELL, VIKAS KUTEER, LP.ESTATE, NEW DELHI-110002

No F/ RP Cell/ DUSIB/2018/D- 14

Date 24-1-2019

To,

M/s Sewa International Fashion Ltd.
 Through Sh. Subhash Chohan,
 Commercial Plot No. 7,
 District Centre, Raja Garden, New Delhi-27

DUSIB
 6065/1P
 28/01/2019

Sub :- Regarding collection of illegally parking charges in shopping mall, Shivaji Place,
 District Centre, Raja Garden.

Sir,

Please refer to this office letter No. DD/113/RP Cell/DUSIB/18 dated 27.08.2018 on the subject cited above wherein directions were issued to implement SDMC circular dated 02.12.2015 for providing free parking in the Malls. But, it has again been brought to the notice of DUSIB, that the parking fee/charges are being collected in the parking available in Shopping Mall situated on the DUSIB land and Shopping Malls thus violating the guidelines issued by the SDMC/EDMC/NDMC vide circular dated 02.12.2015, 15.11.2018 & 07.12.18, respectively and order of Hon'ble High Court in the matter of Sh. Sanjay Puri Vs. South Delhi Municipal Corporation in W.P.(C) 9531/2017.

In view of the above circulars and Court directions, it once again reiterated to implement the instruction issued by SDMC/EDMC/NDMC's circulars dated 02.12.2015, 15.11.2018 & 07.12.18 respectively, in letter and spirit failing which action may be initiated by the concerned municipal authorities.

Deputy Director (RP)
 24/1/19

Copy to :-

1. Deputy Commissioner, SDMC for information and necessary action, if any.
2. Director (Building), DDA as the building activities of this District Centre is vested with DDA.
3. EE C-4 for strict compliance with the directions to paste this letter at conspicuous place of the premises of all the shopping malls.

RECEIVED

24/1

9

DELHI URBAN SHELTER IMPROVEMENT BOARD
GOVT OF NCT OF DELHI
OFFICE OF THE EXECUTIVE ENGINEER C-4

Subject: Regarding collection of illegally parking charges in shopping mall, Shivaji Place, District Centre, Raja Garden.

Notices regarding subject mentioned above were received vide No. F/RP Cell/DUSIB/2018/D-15-19 dated 24.01.2019 in this office on 28.01.2019. These notices were pasted on the respective malls on 31.01.2019 (Photographs attached) and the report regarding the same was sent to DD (RP) from this office bearing no. D-6005, D-6010, D-6011, D-6012, D-6013 and D-6014 on dated 02.02.2019.

The list of the malls where notices were pasted is mentioned below:

S.No.	Plot No.	Name of Agency	Name of Mall (present status)	Remarks
1	4, 5, 6	M/S GPS Properties	West Gate Mall	Notice Pasted on 31.01.2019
2	7	M/S Sewa International Fashion Pvt. Ltd.	City Square Mall	Notice Pasted on 31.01.2019
3	8	M/S Discovery Estate Pvt. Ltd.	City Square Mall	Notice Pasted on 31.01.2019
4	2	M/S EES CEE.CEE (India) Pvt. Ltd.	Paragon Mall	Notice Pasted on 31.01.2019
5	10	M/S R.C. Sood & Company Pvt. Ltd.	Shopper's Stop (Pearl Academy)	Notice Pasted on 31.01.2019
6	11	M/S Vardhman Hand Developers Pvt. Ltd & M/S Pushpanjali Pvt. Ltd.	TDI Mall	Notice Pasted on 31.01.2019

SE (card)

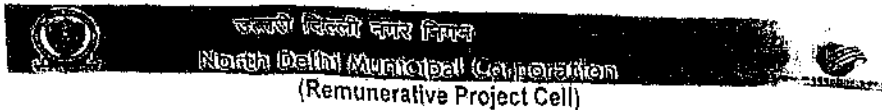
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16th Floor, Civic Centre
Minto Road, New Delhi
Tel.No.2322-6602

No. ADC/RP Cell/NDMC/2018/D-825

Dated: 15/11/2018

PUBLIC NOTICE

It has been brought to the notice of Commissioner, North Delhi Municipal Corporation that heavy fee/parking charge is being collected from the public for parking the vehicles in the place meant for parking in commercial/office Malls/Hospital Complexes. The place earmarked for parking in commercial/office Malls/Hospital complexes is free from FAR and place is meant for parking by public without any fee. Further, as per provision of MPD-2021 and sanctioned plans by Corporation, the area reserved for parking, the said place provided for parking cannot be put to commercial use in any manner being free from FAR. The collection of such fee amounts to business and against the sanction of plan by North DMC for parking. It is the duty of owner of every complex to provide free parking to the public who visit such complex for shopping/work. If fee is collected, the earmarking of parking place in commercial/office complexes will become futile. People are parking their vehicles in the road margin as complex owners are collecting fee and resulting in traffic problems and accidents. Hence, all the concerned are hereby cautioned that parking fee should not be collected in parking areas in commercial/office Malls/ Hospital complexes. Collection of such fee amounts to violation of sanctioned plan and it will be treated seriously and North DMC will take appropriate action against those persons. The general public is also requested to inform the North DMC about collection of any such fee to take appropriate action.

Additional Deputy Commissioner
R.P. Cell/North DMC

Distribution:-

1. All Zonal Deputy Commissioners/North DMC
2. All S.Es of Zones/North DMC
3. Director (P & I)/North DMC : for publication in news papers
4. Ms. Monica Arora, Mpl. Counsel

Copy for kind information to:

1. Secy. to Commissioner/North DMC
2. Addl. Cm. (Rev.)/North DMC

Copy for kind information to:

1. P.S. to Mayor/North DMC
2. P.S. to Deputy Mayor/North DMC
3. Chairperson, Standing Committee/North DMC
4. Leader of House/North DMC
5. Leader of Opposition/North DMC

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16th Floor, Civic Centre
Minto Road, New Delhi
Tel.No.2322-6602

No. ADC/RP Cell/NDMC/2018/D- 837

Dated: 20/11/2018

Sub: Reg. enforcement action on levy of parking charges for parking space in the Commercial Complex Offices, Malls, Hospitals

Ref: Hon'ble High Court matter titled as "Sanjay Puri V/s South Delhi Municipal Corporation and Contempt Petition in WPC-9531/2017"

On the subject I am directed to inform that during the meeting held on 10.10.2018 in the Chamber of the Additional Commissioner (Revenue), North Delhi Municipal Corporation regarding levy of parking charges for parking space in the Commercial Complex Offices, Malls, Hospitals, it was decided that a public notice in regard to subject matter shall be issued by the RP Cell/North DMC on the pattern of South DMC. Further, it was also decided that enforcement action will be taken by the Engineering Department as well as by the Zonal Building Departments as per the provisions of MPD-2021 and Building bylaws.

As per a public notice of the Competent Authority dated 12.11.2018, public notice issued was No. ADC/RP Cell/NDMC/2018/D-825 dated 15.11.2018 restraining Commercial Complex Offices, Malls, Hospitals to charge parking fee. As per the provisions of MPD-2021, the violation of sanction building plans and building bylaws the copy of public notice is attached herewith for reference.

The enforcement action of Competent Authority is hereby conveyed to the Engineering and Building Department take actions as per provisions of MPD-2021 and Building bylaws.

Additional Deputy Commissioner
R.P. Cell/North DMC