

AMIT GUPTA ADVOCATE

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JOINT PUBLIC REPRESENTATION

MASTER PLAN FOR DELHI - 2047 Low Density / Farmhouse Areas

To

1. The Hon'ble Prime Minister of India / Prime Minister's Office, Government of India, New Delhi.
2. The Hon'ble Union Minister for Housing and Urban Affairs, Government of India, Nirman Bhawan, New Delhi.
3. The Hon'ble Lieutenant Governor of Delhi & Chairman, Delhi Development Authority, Raj Niwas, Delhi.
4. The Secretary, Ministry of Housing and Urban Affairs, Government of India, Nirman Bhawan, New Delhi.
5. The Vice-Chairman, Delhi Development Authority, Vikas Sadan, New Delhi.
6. The Member (Planning), Delhi Development Authority, Vikas Minar, New Delhi.

SUBJECT: Request for reconsideration of the increase in minimum plot area from 4,000 sq. m. to 10,000 sq. m. and the 18-metre road requirement for Low Density / Farmhouse Areas under MPD-2047

Respected Sir/Madam,

We, the residents, landowners, farmhouse owners, associations and other affected stakeholders of Delhi, respectfully request reconsideration of the provisions of the Master Plan for Delhi - 2047 relating to Low Density / Farmhouse Areas.

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1. Our basic grievance

The draft Master Plan placed before the public contemplated a graded framework under which farmhouse/low-density development was permissible from approximately 4,000 sq. m. (about one acre).

However, the finally notified MPD-2047 generally prescribes a minimum plot area of 10,000 sq. m. (about 2.5 acres), together with a minimum 18-metre right of way for the principal uses in Low Density Areas. **This is a major change having serious consequences for a large number of existing landholdings.**

2. The change was not put before the affected public

Objections and suggestions were invited on the draft plan. The public therefore participated in the consultation process on the basis of the provisions contained in that draft.

The subsequent increase from approximately 4,000 sq. m. to 10,000 sq. m. materially changes the position of landowners.

We respectfully request the Government and DDA to disclose when and why this change was made, the technical or planning material supporting it, whether objections and suggestions were specifically invited on this changed requirement, and how the objections already received from affected persons were considered.

3. Existing smaller plots cannot simply be ignored

A large number of plots in these areas are below 10,000 sq. m. Such holdings have come into existence over many years through inheritance, family partitions, registered transactions, revenue divisions and other lawful means.

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The owners of these plots cannot necessarily purchase adjoining land or compel neighbouring owners to amalgamate their properties. A planning policy should regulate such existing holdings in a reasonable manner rather than leave them without any practical lawful development route.

4. The 18-metre road requirement also requires reconsideration

Many existing village roads, revenue roads and approaches to farmhouse areas are substantially narrower than 18 metres. An individual landowner cannot widen the entire approach road to 18 metres where land belonging to numerous other owners is involved.

Road-width requirements should therefore be linked to the nature and intensity of the proposed use. A low-density residential farmhouse should not necessarily be treated in the same manner as a large institutional, commercial, warehousing or other traffic-intensive project.

5. Existing properties require protection

Existing lawful and bona fide farmhouses, sanctioned constructions and pre-existing holdings should not suffer merely because a different minimum plot size or road width has subsequently been prescribed.

Clear provisions are required for existing sanctioned properties, reconstruction of existing buildings, pre-existing plots below 10,000 sq. m., regularisation wherever otherwise permissible, and pending applications and permissions. There should also be a reasonable transition mechanism.

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6. A simple graded system would be more practical

Instead of one uniform requirement, MPD-2047 should provide a graded system based upon plot size and actual use:

- Smaller plots: agriculture, horticulture, nurseries, urban farming, renewable energy and similar low-impact green uses with limited construction.
- Plots of approximately 4,000 sq. m. and above: farmhouse/low-density residential and other compatible low-impact uses, subject to appropriate FAR, ground coverage, green cover and infrastructure requirements.
- Plots of 10,000 sq. m. and above: higher-intensity institutional, recreational, commercial and other permissible uses, subject to necessary road width, parking, fire, traffic and infrastructure requirements.
- Existing properties: a separate reasonable transitional, reconstruction and regularization route.

This would protect Delhi's environment while also recognising the actual ground situation.

7. Our requests

We therefore respectfully request the Government of India and DDA to:

- (a) reconsider the minimum 10,000 sq. m. requirement for Low Density / Farmhouse development;
- (b) restore a reasonable route for farmhouse/low-density residential development on plots of approximately 4,000 sq. m. and above, subject to appropriate environmental and infrastructure safeguards;
- (c) provide suitable permissible green/low-impact uses for lawful plots below 4,000 sq. m.;

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- (d) reconsider the uniform 18-metre ROW requirement and prescribe road width according to the nature, intensity and actual requirements of the proposed use;
- (e) protect existing sanctioned farmhouses, constructions, permissions and bona fide pre-existing holdings and provide suitable provisions for reconstruction and regularisation;
- (f) disclose the reasons, studies, file notings, minutes and other material on the basis of which the minimum plot requirement was changed from approximately 4,000 sq. m. in the public draft to 10,000 sq. m. in the notified plan;
- (g) disclose how the objections and suggestions received from the public concerning Low Density / Farmhouse Areas were considered and decided;
- (h) grant representatives of the affected residents, landowners and associations an opportunity of hearing before taking a final decision;
- (i) issue an appropriate clarification/amendment to MPD-2047 providing a fair, practical and environmentally sustainable framework for these areas.

8. Public interest

We fully support protection of the Ridge, forests, water bodies, natural drains, protected areas and public land, and support strict environmental, fire-safety, infrastructure and green-cover requirements.

Our request is not for uncontrolled construction. We only request that lawful privately owned land and existing properties be governed by a reasonable, practical and proportionate planning framework which recognises different plot sizes and different intensities of use.

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9. Conclusion

MPD-2047 will govern Delhi's development for many years. The provisions affecting existing landowners and residents should therefore be transparent, workable and based upon proper consultation and planning considerations.

We respectfully request an early review of the above provisions, an opportunity of hearing and a reasoned decision.

This representation is submitted without prejudice to all legal and constitutional rights and remedies of the persons and organizations adopting it.

ONLINE DECLARATION