

THE DDA (PERMISSION OF RESIDENTIAL LAND & BUILDING FOR USE AS BANKS) REGULATIONS, 2003

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Notification No. S.O. 273(E), New Delhi, the 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 Building for USE as Banks) 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 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 user of land and building for banks 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 banks in residential areas: -

(1) The minimum size of the residential plot shall be 209 sq. mtrs. facing road of minimum width 18 mtrs. (9 mtrs. in Special Area and 13.5 mtrs. in rehabilitation colonies).¹

1. As published in Gazette of India (E), Pt. II 3(ii), dt. 11.3.2003.

(2) A maximum of 2/3rd of the floor area shall be allowed for permission for plot size upto 250 sq. mtrs. In case of larger plot, the user will be permitted subject to the ceiling of 2/3rd FAR or 600 sq. mtrs. whichever is less.

(3) The maximum size of the plot will be 1000 sq mtrs.

(4) Only branch office of the banks catering to the neighbourhood banking facilities will be permitted.

(5) Such permission shall be allowed only in the buildings which stand regularized/approved/sanctioned by the DDA/Local Body as per Building Bye Laws for the time being in force.

(6) All parking requirement of plot will adhere to Equivalent Car space required for this purpose.

(7) It will be ensured that no nuisance or hardship is created for local residents.

(8) 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 designated 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 so collected would be put in an escrow account to be utilized 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 abovesaid provisions, action shall be taken under the relevant provision of the Act.