

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

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Notification No. S.O. 274(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

(2) A maximum of 2/3rd of the floor area shall be allowed for permission for plot

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

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

(5) Parking requirement as per particular Equivalent Car Space user requirement would be provided for within the plot.

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

(7) All the Nursing Homes will have to link up disposal of their waste with MCD/NDMC to ensure hygienic disposal by making payment of fee directly to them. To avoid chances of re-cycling of syringes, needles and plastics, the Nursing Homes will have to ensure that the same are destroyed before disposal. A certificate in this regard will have to be submitted to the local authorities at periodical intervals. No commercial activity in the form of Canteen or Restaurant will be permitted. However, catering will be allowed only for the residents of Nursing Homes.

It shall be ensured that Nursing Home waste is disposed in a manner prescribed by Delhi Pollution Control Committee and also a NOC in this regard shall be furnished to respective local bodies after obtaining the same from the DPCC. It shall be further ensured that no radio active pollution occurs from the installation of the machine and necessary certificate shall also be furnished by owner in this regard from Competent Authority as decided by the Health Department/ Government.

(8) They shall also conform 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 designated 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) Permission fee collected would be put in an escrow account to be utilised by respective local bodies for upgradation of infrastructure and services in the residential areas necessitated by such use.

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.

(d) Such conversion charges /permission fee shall be applicable as per the approval/revision/from time to time by the Ministry of Urban Development.

Penal action. - In case of violation of the abovesaid provisions, action shall be taken under the relevant provisions of the Act.