

Policy On **FARM HOUSES** *in* **Delhi**



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POLICY/CITY PLANNER



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MASTER PLAN PROVISIONS (1st, 2nd & 3rd MASTER PLANS)

1.1 PERMISSIBILITY

As per MPD-2021, the new farm houses shall not be permitted in proposed urban extension. Whereas the approved farm houses sanctioned **prior to 01.08.90** may continue in Regional Park. Farm house is a permissible activity in the green belt but the Farm Houses forming a part of Urban Extension Areas are non-conforming as per provisions of MPD-2021.

1.2 DEVELOPMENT CONTROL NORMS

Category	Land use/ Permissibility	Plot size of Farm	Max. coverage of dwelling units	Max. height of dwelling units
MPD-1962	Agriculture Use	i. 1 to 3 acres ii. Above 3 cres	i. 500 sq.ft. ii. 1500 sq.ft.	Single Storey (Max. Height 20 ft)
MPD-2001	Rural Use Zone	i. 1 ha. & above but less than 2 ha. ii. 2 ha. & above	i. 100 sqm (including mezzanine floor) ii. 150 sqm (including mezzanine floor)	Single Storeyed Max. Height 6m.
MPD-2021	Green Belt	Same as MPD-2001	i. 100 sqm ii. 150 sqm.	6m. (Single Storey)

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STUDIES/SURVEY FINDINGS OF FARM HOUSES BY MCD

Findings of Survey Report on 'Farm Houses by MCD.

No. of farm houses as per permissible norms of MPD-2001/2021 (100 / 150 sqm.) 396 (14.5%)	No. of farm houses as per permissible norms of notification dated 23 rd July 1998 (Malhotra Committee Recommendation) (500 sqm. irrespective of the size of the farm) 1800 (65.90%)	No. of farm houses beyond the permissible norms of notification dated 23 rd July 1998 (Malhotra Committee) 535 (19.6%)
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Total = 396 + 1800 + 535 = 2731 Farm Houses

PROPOSALS AS GIVEN BY THE DDA IN THE MEETING OF THE AUTHORITY IN DECEMBER 010.

It is seen from the statement sent by Municipal Corporation of Delhi that there are Farm Houses with a built up area much beyond the sanctioned area and also there are Farm Houses which have been constructed without any sanction. In order to regularize the unauthorized construction in the already existing farm houses which are not presently in the ambit of MPD-2021 provision, the proposal has been formulated by way of modification in the MPD-2021 & stipulating guidelines for their regularization. In case of un-sanctioned farm houses, these would have to conform to the basic parameters as laid out in Master Plan to qualify for regularization along with payment of additional penalty for regularization.

3.1 POLICY FOR REGULARIZATION OF EXISTING FARM HOUSES

3.1.1 Existing farm houses that have come up prior to 7.2.2007 shall be regularized as Country Homes (CH), as per the guidelines given below:

A	USE PREMISES DEFINITION USE/USE ACTIVITIES PERMITTED							
	Country Homes	Existing farm houses with dwelling house regularized as per policy	Country Homes, Service Personnel residence, watch and ward residence					
B	PERMISSIBILITY							
	<p>Country Homes (CH) shall be permitted in all use zone except:</p> <ul style="list-style-type: none"> ○ In notified or reserved forest area/Regional Park ○ However, the sanctioned farm houses prior to 01.08.1990 in Regional Park shall be considered. ○ In area of right of way of infrastructure such as existing/proposed railway line/Master Plan roads, major trunk water supply and sewage lines, HT Lines and other essential infrastructure. ○ If it violates the provisions of the Ancient Monuments and Archaeological Remains Act, 1958 amended from time to time. ○ In cases where there is a court order for eviction/vacation of premises. 							
C	OTHER CONDITIONS							
	<p>i. Subdivision of plot shall not be permitted</p> <p>ii. Existing farm houses shall be allowed to be regularized as Country Homes with following development control norms:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 60%;">a. Size of the Plot (for unsanctioned Farm Houses)</td> <td style="width: 5%;">:</td> <td style="width: 35%;">As per the Master Plan (1962 & the modifications thereafter)</td> </tr> <tr> <td>b. Max. FAR on total plot</td> <td>:</td> <td>20, subject to max. of 2000 sqm built up area</td> </tr> </table>		a. Size of the Plot (for unsanctioned Farm Houses)	:	As per the Master Plan (1962 & the modifications thereafter)	b. Max. FAR on total plot	:	20, subject to max. of 2000 sqm built up area
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b. Max. FAR on total plot	:	20, subject to max. of 2000 sqm built up area						

- c. Max. Ground Coverage on total Plot : 10%
- d. Green area : 60%
- e. Soft parking : 30%
- f. Max. height : 12mt.
- g. Setbacks : 15m in front and 9m on all sides
- h. Every part of the building, including the basement will be counted in FAR
- i. External Development Charges (EDC) / Betterment levy/additional FAR charges as applicable shall be payable as decided by the Government of India.
- j. Minimum width of road in front shall be 18m for regularization of un-sanctioned farm houses.
- k. Constructions beyond 20 FAR or 2000 sqm. shall be considered unauthorized and would be liable for sealing/demolition.



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III Penalty for regularization of construction shall be as under:

S.No.	Existing constructions in FAR	Penalty for construction beyond sanction	Additional penalty for construction without sanction
1	Up to 5	No charges	Rs 2X* / sqmt
2	5 to 10	Rs X* / sqmt.	Rs 4X* / sqmt
3	10 to 15	Rs 2X*/sqmt.	Rs 8X* / sqmt
4	15 to 20	Rs 4X* / sqmt.	Rs16X* sqmt



- IV** The undeveloped vacant land pockets of minimum 0.4 ha. (4000 sqm) falling within the cluster of country homes could also be regularized as country homes with a max. 10 FAR subject to max. built area as 400 sqm., with max. ground coverage 5% and max. height 9mt. by the Local Body by preparing Local Area Plans/Layout Plans in consultation with residents welfare association/stake holders. Local body to also ensure provisions of essential utilities and facilities in these clusters with requisite charges.
- V** This one time amnesty could be availed by the owner within 90 days of the notification of the policy and rates/charges payable for regularization (*'X' to be decided by MOUD for various use zones/area).

3.1.2 The above decision will not be applicable to Farm Houses built on land notified for acquisition, the legality of which has been upheld by Hon'ble Supreme Court, subject to the provision that farm houses existing on 08.02.2007 within the boundary of an unauthorized colony listed for regularization as per Union Govt's decision of 8th February 2007 will be governed by the overall decision pertaining to regularization of such colonies.

3.1.3 Modifications in the MPD-2021

In order to enable implementation/enforcement of the policy, following modifications in the MPD-2021 are proposed.

i. In para 3.2 on page 10 of MPD-2021 Gazette Notification, following line is to be added at the end.

"However existing farm houses shall be dealt as per the policy/guidelines approved by Govt. of India from time to time."



3.2 PROPOSED REVISED DEVELOPMENT CONTROL NORMS FOR FARM HOUSES IN GREEN BELT AREA

In continuation to the draft policy on farm houses earlier approved by Hon'ble Lt. Governor on 01.12.2008, further forwarded to the Ministry on 05.12.2008 and in order to make the farm houses practically viable in green belt, following modifications are proposed in MPD 2021.

3.2.1 The existing provision of farm houses in para 4.4.3 (G) page 29 of MPD-2021 is proposed to be replaced with the following:

- | | | |
|------------------------------------|---|---|
| (a) Minimum Plot Area | : | 0.4ha. |
| (b) Max.FAR on plot | : | 10, subject to max. 400 sqm built up area |
| (c) Max.Ground Coverage | : | 5% |
| (d) Max.height | : | 9m |
| (e) Setbacks | : | 15m in front and 9m on all sides |
| (f) Minimum width of road In front | : | 18 m |

- (g) Other Controls for farm houses:
- (i) Where the property abuts to urban road, the dwelling house building should be setback from the centre line of that road by 60m. Where the property abuts to village road, the building setback from the centre line of that road should be by 30m.
 - (ii) No dwelling units should be built within 400m of the right of way of any National Highway.
 - (iii) Every part of the building including the basement will be counted in FAR.
 - (iv) For plots more than 2.0 ha. (5 acres) the use activities such as marriage functions, socio-cultural, sanatoriums, recreational including amusement parks with resort may be allowed subject to the conditions that min. 50% of plot area to be left for soft parking, min. 25% plot area for landscaping and max. 25% for functions/building purposes.



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MODIFIED PROPOSAL FOR THE DDA MEETING

IN ORDER TO REGULARIZE THE UNAUTHORIZED CONSTRUCTION IN THE ALREADY EXISTING FARM HOUSES WHICH ARE NOT PRESENTLY IN THE AMBIT OF MPD-2021 PROVISION, THE PROPOSAL HAS BEEN FORMULATED BY WAY OF MODIFICATION IN THE MPD-2021 AND STIPULATING GUIDELINES FOR THEIR REGULARIZATION. IN CASE OF UN-SANCTIONED FARMHOUSES, THESE WOULD HAVE TO CONFORM TO THE BASIC PARAMETERS AS LAID OUT IN MASTER PLAN TO QUALIFY FOR REGULARIZATION ALONG WITH PAYMENT OF ADDITIONAL PENALTY FOR REGULARIZATION.



4.1 POLICY FOR REGULARIZATION OF EXISTING FARM HOUSES

4.1.1 The existing provision of farm houses in para 4.4.3 (G) page 29 of MPD-2021 is proposed to be replaced with the following:

- B. **PERMISSIBILITY** :
- COUNTRY HOMES (CH) SHALL BE PERMITTED IN ALL USE ZONE EXCEPT
 - I RESERVED FOREST AREA / REGIONAL PARK
 - ii. RIGHT OF WAY OF INFRASTRUCTURE
 - iii. PROVISIONS OF THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL
 - iv. THERE IS A COURT ORDER

C. **OTHER CONDITIONS**

- i. SUBDIVISION OF PLOT SHALL NOT BE PERMITTED
- II. EXISTING FARM HOUSES SHALL BE ALLOWED TO BE REGULARIZED AS COUNTRY HOMES WITH FOLLOWING DEVELOPMENT CONTROL NORMS:
 - A. SIZE OF THE PLOT (FOR UNSANCTIONED FARM HOUSES) AS PER THE MASTER PLAN (1962 & THE MODIFICATIONS THEREAFTER)
 - B. MAX. FAR ON TOTAL PLOT 20, SUBJECT TO MAX. OF 2000 SQM BUILT UP AREA
 - C. MAX. GROUND COVERAGE ON TOTAL PLOT 10%
 - D. GREEN AREA 60%
 - E. SOFT PARKING 30%
 - F. MAX. HEIGHT 12MT.
 - G. SETBACKS 15M IN FRONT AND 9M ON ALL SIDES
 - H. EVERY PART OF THE BUILDING, INCLUDING THE BASEMENT WILL BE COUNTED IN FAR.

- I. EXTERNAL DEVELOPMENT CHARGES (EDC)
 - J. MINIMUM WIDTH OF ROAD IN FRONT SHALL BE 18M
 - K. CONSTRUCTIONS BEYOND 20 FAR OR 2000 SQM. SHALL BE CONSIDERED UNAUTHORIZED AND WOULD BE LIABLE FOR SEALING/DEMOLITION.
- III. PENALTY FOR REGULARIZATION OF CONSTRUCTION SHALL BE AS UNDER:
- IV. THE UNDEVELOPED VACANT LAND POCKETS OF MINIMUM 0.4 HA. (4000 SQM.) FALLING WITHIN THE CLUSTER OF COUNTRY HOMES COULD ALSO BE REGULARIZED AS COUNTRY HOMES WITH A MAX. 10 FAR SUBJECT TO MAX. BUILT AREA AS 400 SQM., WITH MAX. GROUND COVERAGE 5% AND MAX. HEIGHT 9MT.
- V. THIS ONE TIME AMNESTY COULD BE AVAILED BY THE OWNER WITHIN 90 DAYS OF THE NOTIFICATION.
- 4.1.2** THE ABOVE DECISION WILL NOT BE APPLICABLE TO FARM HOUSES BUILT ON LAND NOTIFIED FOR ACQUISITION.
- 4.1.3** PLANS OF THE AREA WILL BE PREPARED IN PUBLIC PRIVATE PARTNERSHIP AND THEN DEVELOPMENT MAY BE AS UNDER:
- i. TRUNK INFRASTRUCTURE – RS. 100/- PER SQM TO BE PAID BY THE PRIVATE SECTOR AND THE BALANCE BY THE BENEFICIARIES
 - ii. PERIPHERAL AND INTERNAL DEVELOPMENT BY BENEFICIARIES
- 4.1.4** ONCE THE NEW POLICY IS DECLARED BY THE GOVT. THEN EVERYBODY HAS TO SUBMIT THE PLANS OF EXISTING AND PROPOSED FARM HOUSES WITHIN 3 MONTHS OF THE DECLARATION.

4.2 PROPOSED REVISED DEVELOPMENT CONTROL NORMS FOR FARM HOUSES IN GREEN BELT AREA

4.2.1 THE EXISTING PROVISION OF FARM HOUSES IN PARA 4.4.3(G) PAGE 29 OF MPD-2021 IS PROPOSED TO BE REPLACED WITH THE FOLLOWING:

- A. MINIMUM PLOT AREA : 0.4 HA
- B. MAX. FAR ON PLOT : 10, SUBJECT TO MAX. 400 SQM BUILT UP AREA
- C. MAX. GROUND COVERAGE : 5%
- D. MAX. HEIGHT : 9M
- E. SETBACKS : 15M IN FRONT AND 9 M ON ALL SIDES
- F. MINIMUM WIDTH OF ROAD : 18M



WHILE PERMITTING COUNTRY HOME IN URBAN EXTENSION OR IN ANY OTHER AREAS IT WILL BE SEEN THAT MINIMUM NUMBER OF TREES ARE AFFECTED AND NO ENVIRONMENT IS POLLUTED SPECIALLY NEAR AIRPORT AREA.