

**MUNICIPAL CORPORATION OF DELHI
OFFICE OF THE ADDITIONAL COMMISSIONER (ENGG.)
TOWN HALL CHANDNI CHOWK: DELHI**

No. D-16/Addl. Com (Engg)/10

Dated: 15-02-2010

OFFICE ORDER

**CONVERSION CHARGES FROM INDUSTRIAL TO
COMMERCIAL/BANQUETHALLS**

MPD-2021 Under Clause 7.8 of Chapter-7 (Industry read with Notification dated 12-08-2008 provides as under:-

- 1 Banquet hall shall be permissible in Industrial premises subject to specifications/ regulations as may be prescribed, along with conversion charges as prescribed by the Government from time to time.
- 2 Industrial units/ plots abutting roads of 24m ROW and above shall be eligible for conversion charges as prescribed by the Government from time to time, and cost of parking as decided by Government from time to time. The activities permissible in local shopping centres will be permitted in such plots. In addition, multilevel parking shall be permissible activity. However, this shall not be permitted on non-conforming/ regularized industrial cluster. The above provision shall not affect the Supreme Court orders in any way'.

Delhi Development Authority, while giving effect to above provisions. notified **ONE TIME CHARGES** vide Notification dated 25-02-2009 for Use Conversion of Industrial area, which are as under:-

RATES IN RS.PER SOM BUILT UP AREA

SL. NO.	AREA	RATE
a)	Narela	Rs. 1300/Sqm.
b)	Noth, East, West & Rohini	Rs. 8097/Sqm.
b)	Central/South Dwarka	Rs. 12508/Sqm.

Taking cognizance of various representations regarding use conversion charges. The Hon'ble Lt. Governor has decided to allow yearly conversion charges provisionally as has been allowed in respect of residential premises being put to mixed land use.

The existing policy circulated vide office order NO. D/214/SE(B) HQ/09 dated 17/09/2009 is replaced with the following directions for conversion charges:-

INDUSTRIAL UNIT FOR COMMERCIAL USE

1 The industrial units shall be allowed the option to either one time conversion charges as well as yearly conversion charges as has been allowed in respect of residential premises being put to mixed land use.

2 The owners/misusers shall submit an affidavit to the following effect:-

- a) The he/she/they will abide by the decision of G.O. I regarding payment of conversion charges in installments to whom the matter shall be referred for a final decision.
- b) That payment shall be made as per the final decision of Government of India within 30 days of the gazette notification of such decision.

3. The payment of arrears of misuse charges shall be payable by the industrial units for the period of misuse before the facility of conversion was allowed.

4. Sealing notices on the ground of non- payment of conversion charges shall stand withdrawn for the moment.

THE AFFIDAVIT OF PRESCRIBED LANGUAGE IS ATTACHED.

USE CONVERSION CHARGES

The application can opt for following modes of payment for depositing USE CONVERSION CHARGES:-

1. ONE TIME CHARGES

RATES IN RS. PER SOM BUILT UP AREA.

SL. NO.	AREA	RATE
a)	Narela	Rs. 1300/ Sqm.
b)	Norht, East West & Rohini	Rs. 8097/Sqm.
b)	Central/South/Dwarka	Rs. 12508/Sqm.

2. USE CONVERSION (ON ANNUAL BASIS)

Under mixed use regulations for residential buildings, the one time conversion charges have been determined as eight times of Annual Conversion Charges. Thus, based on above analogy, provisional Annual Use Conversion for industrial units is as under:-

RATES IN RS.PER SOM BUILT UP AREA

SL. NO	AREA	ANNUAL CHARGE
a)	Narela	Rs. 163
b)	North-East, West & Rohini	Rs. 1012
b)	Central/South/Dwarka	Rs. 1564

NOTE:-

- A. The annual use conversion is effective w. e. f 07-02-2007. Therefore, Annual Use Charges are to be taken from the date when industrial unit put to commercial use or from 07-02-2007 whichever is later. The applicant shall pay annual use conversion for the year 2009-2010 voluntarily on or before 30th June 2011 on the analogy of Mixed Land Use Regulations.
- B. The Annual Conversion shall not be allowed to be adjusted in One Time Use Conversion, if applicant opts to switch over at later date. The applicant shall have to pay entire One Time Use Conversion at the time of switching over.
- C. The above mode of payment (Annual Charges) is subject to final decision/approval of MoUD, GOI.

PARKING CHARGES

The owner/ allottee/ resident/user of the industrial unit is also liable to pay one time charges for development of parking and such rate for two ECS per 100 Sqm. Of plot areas shall be as under:-

CATEGORY OF COLONIES	PARKING CHARGES (IN RS.)
A & B	2, 10, 500/-
C & D	1,49,750/-
E, F & G	66,500/-

In case of properties which are already built up and the use of the premises is changed from industrial to commercial or banquet hall, parking shall be provided on total plot area as per notification dated 22nd June, 2007 till an amendment is issued in this regard. However, plot owners who come for sanctioning of Building plans including addition and alteration shall provide for parking within the plot @ 2 ECS/100 sqm. Of the proposed built up area under commercial use.

BANQUET HALL

The Banquet Halls in industrial units shall be allowed to operate on same analogy, as aforesaid. However, since conditions for operation of Banquet Hall in Industrial area are yet to be notified, an separate affidavit shall be obtained from the owners of such industrial units to the effect that he/she/they will abide by the conditions, which shall be notified by Government of India and no equity shall be claimed. If it is found that industrial unit does not fulfill the laid parameters and all activities relating to banquet hall shall be seized immediately. *The affidavit of prescribed language is attached.*

ADDITIONAL COMMISSIONER (ENGG.)

DISTRIBUTION:

1. All Zonal Deputy Commissioners
2. Chief Vigilance Officer
3. All Dy. Commissioners of the Zones
4. Engineer-in- Chief
5. Chief Town Planner
6. Chief Law Officer
7. All Superintending Engineers of the Zones
8. All Executive Engineers (Bldg.)

Copy

To:-

1. PS to Commissioner- For favour of information of the Commissioner
2. ADC (IT)- To upload the information on MCD's website.

COPY FOR KIND INFORMATION TO:-

1. Hon'ble Mayor
2. Deputy Mayor
3. Chairman, Standing Committee
4. Lead of the House
5. Leader of the Opposition.

AFFIDAVIT (COMMERCIAL USE)

**(To be submitted on non-judicial stamp paper of Rs. 10/- duly attested by Oath
Commissioner)**

I -----, S/o -----, r/o -----

----- do hereby solemnly affirm and declare as under:-

1. That deponent is depositing provisional annual use conversion as decided in the meeting held on 16-11-2009 and will abide by the decision of Government of India regarding payment of conversion charges in whatsoever manner.
2. That deponent is depositing provisional annual use conversion as decided in the meeting held on 16-11-2009 and will abide by the decision of Government of India regarding payment of conversion charges in whatsoever manner.
3. That deponent will pay Use Conversion Charges as per the final decision of Government of India within 30 days of the gazette notification of such decision. Till then the deponent will pay the annual conversion charges voluntarily on or before 30th June of every year for the preceding year.
4. That deponent is hereby depositing the provisional annual conversion charges for the year 2006-07 (07-02-07 to 31-03-07), 2007-08 &-09 along with one time parking charges as has been levied under mixed use regulations for residential buildings.
5. That deponent undertakes that no equity shall be claimed. If ultimately it is found that the MPD-2021 suffers from infirmity.
6. That deponent undertakes that unauthorized construction, If any, in the premises shall be got regularized, Construction, if any, in the premises shall be got regularized, failing which MCD will be at liberty to take action against such unauthorized constructions. Provisional permission to run commercial activities shall not be taken as regularization of unauthorized construction or for any other purposes.

VERIFICATION:

Verified at Delhi on _____ day of _____ that the contents of these affidavits are true and relevant has been concealed therefrom.

DEPONENT

AFFIDAVIT (BANQUET HALL)

(To be submitted on non-judicial stamp paper of Rs. 10/- duty attested by Oath Commissioner)

I, _____ s/o _____ r/o

_____ do hereby solemnly affirm and declare as under:-

1. That deponent is an occupier / owner of the Industrial unit bearing No. _____ and has been running a Banquet Hall in the name and style of _____ from said premises since _____.
2. That deponent is depositing provisional annual use conversion as decided in the meeting held on 16-11-2009 and will abide by the decision of Government of India regarding payment of conversion charges in whatsoever manner.
3. That deponent will pay Use Conversion Charges as per the final decision of Government of India within 30 days of the gazette notification of such decision. Till then the deponent will pay the annual conversion charges voluntarily on or before 30th June of every year for the preceding year.
4. That deponent undertakes that no equity shall be claimed, if ultimately it is found that the MPD-2021 suffers from infirmity.
5. That deponent undertakes that no equity shall be claimed if it is found that said industrial unit does not fulfill the laid parameters/ norms, yet to be notified, and said industrial unit is not eligible to run Banquet Hall and all the activities relating to banquet hall shall be stopped immediately.
6. That deponent is here by depositing the provisional annual conversion charges for the year 2003-07(07-02-07 to 31-03-07, 2007-08-09 along with one time parking charges as has been levied under mixed use regulations for residential buildings.
7. That deponent undertakes that unauthorized construction, if any, in the premises shall be got regularized, failing which MCD will be at liberty to take action against such unauthorized constructions. Provisional permission to run the Banquet Hall shall not be taken as regularization of unauthorized construction or for any other purposes.

VERIFICATION:

Verified at Delhi on _____ day of _____ that the contents of this affidavits are true and nothing relevant has been concealed therefrom.

DEPONENT

INFORMATION TO BE FURNISHED FOR PROVISIONAL PERMISSION TO RUN

COMMERCIAL ACTIVITIES / BANQUET HALLS

IN INDUSTRIAL UNITS IN TERMS OF MPD-2021

1. Name of the applicants : _____
2. Status of applicant :

Owner

Allottee

User

3. Type of Use : **COMMERCIAL/ BANQUET HALL**
4. Name & Style of Activity : _____
5. Date of Commencement : _____
6. Location of Premises : _____

Narela, North, East, West & Rohini, Central/South/Dwarka
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7. Category of Locality :

A

B

C

D

E

F

G

8. ROW of road on which Industrial Unit abuts : _____
9. Area of Plot (In Sqm.) : _____
10. Total Built up Area under Commercial Activity : _____
11. Requirement of Equivalent Car Space (ECS)
(Two ECS per 100 Sqm. of plot areas): _____

Note:-

In case of properties which are already built up and the use of the premises is changed from industrial to commercial or banquet hall, parking shall be provided on total plot area as per notification dated 22nd June, 2007 till an amendment is issued in this regard. However, plot owners who come for sanctioning of Building plans including addition and alteration shall provide for parking within the plot @ 2 ECS/100 sqm. of the proposed built up area under commercial use.

12. One time cost of parking

Category of Colonies	Parking Charges (In Rs.)
A & B	2,10,500/-
C & D	1,49,750/-
E,F & G	66,500/-

13. Annual Use Conversion

Rates in Rs. Per Sqm built up area

Area	Annual Charge
Narela	Rs. 163
North, East, West & Rohini	Rs. 1012
Central/South/Dwarka	Rs. 1564

Note:-

- I. The annual use conversion is effective w. e.f 07-02-2007. Therefore, Annual Use Charges are to be taken from the date when industrial unit put to commercial use or from 07-02-2007 whichever is later. The applicant shall pay annual use conversion for the year 2009- 2010 voluntarily on or before 30th June 2011 on the analogy of Mixed Land Use Regulations.
- II. The Annual Conversion shall not be allowed to be allowed to be adjusted in one Time Use Conversion. If applicant opts to switch over at later date. The applicant shall have to pay entire One Time Use Conversion at the time of switching over.
- III. The above mode of payment (Annual Charges) is subject to final decision/ approval of MoUD, GOI.

14. Amount to be paid on account of

delay in payment for INTEREST/PENALTY : _____

15. Whether there is any unauthorized construction in

the building : [Yes] [No]

16. If yes, whether applied to the MCD for regularization as per the provisions of

Master Plan-2021. : [Yes] [No]

DATE

(Signature of Applicant)