

DELHI DEVELOPMENT AUTHORITY**NOTIFICATION**

New Delhi, the 21st September, 2012

Subject : The (Permission of Banquet Halls) Regulations, 2010

S.O. 2272(E).— 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 Central Government, hereby makes the (Permission of Banquet Halls) Regulations, 2010.

1. Short Title and Commencement

- (i) These Regulations shall be called The (Permission of Banquet Halls) Regulations, 2010.
- (ii) These Regulations shall be applicable to Banquet Halls in National Capital Territory of Delhi, and shall come into force with effect from the date of notification.
- (iii) 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.
- (iv) If any question arises relating to the interpretation of these Regulations, it shall be referred to the Central Government whose decision thereon shall be final.

2. Definitions

In these Regulations, unless, anything repugnant in the subject or context :

- (i) 'Act' means the Delhi Development Act, 1957 as amended from time to time,
- (ii) 'Authority' means the Delhi Development Authority constituted under Section 3 of the Act.
- (iii) 'Chairman' means the Chairman of the Authority,
- (iv) 'Charges' means the charges payable for permitting the user of land and building for Banquet Hall.
- (v) 'Master Plan' means the Master Plan for Delhi for the time being in force as prepared and approved under the Act.
- (vi) 'Owner' means the owner/allottee/ of the premises.
- (vii) 'Vice-Chairman' means, the Vice-Chairman of the Authority.
- (viii) 'Banquet Hall' means the premise to hold small public gatherings, community functions, marriages etc.

Other definitions shall be in accordance with the relevant Acts, Delhi Master Plan, Unified Building Bye-Laws, etc.

3. Conditions for Operation of Banquet Hall

- (i) Banquet Hall shall be permissible in industrial and commercial areas including notified commercial streets under Mixed Use Regulations and pre 1962/MPD 1962 commercial areas as per para 5.1 of MPD, 2011. Development control norms in respect of ground coverage, FAR, height and basement shall be as per Master Plan, 2021 norms corresponding to the specified land use for that premise.
- (ii) In addition a Banquet Hall shall comply with the following conditions :
 - (a) Minimum Plot Size-300 sq.m. The maximum number of guests be fixed by Licensing Authority depending on locational considerations e.g. road width, parking etc.
 - (b) For Industrial plots to be used as Banquet Hall, the minimum road width shall be 12m ROW.
 - (c) In notified Commercial streets the Banquet Hall shall be allowed on minimum 9 mtrs. ROW in F and G category Colonies and minimum 13.5 mts. for other category of colonies with other conditions as per para 15.12 of MPD-2021 Mixed Use Regulations. (Refer para 15.12 of MPD-2021)
 - (d) In case of commercial plots in designated commercial centers, the Banquet Hall shall be allowed if it shall be directly abutting 18 mtrs. ROW.
 - (e) No encroachment of any kind shall be allowed on the streets or public land due to banqueting activities i.e. Shamiana, Generator etc.

- (f) In Banquet Hall plots, front setback shall not have boundary to facilitate it to be used for parking purpose.
- (g) The permission shall be subject to 'Other Terms & Conditions' prescribed in the MPD-2021 and any other specific Terms & Conditions as may be prescribed under relevant Statutes/Act.
- (h) The construction of basement and its use shall conform to the provisions of the MPD-2021/Building Bye-Laws. [Refer para 8(5) of MPD-2021 and in case of mixed use refer para 15.12.3 of MPD-2021]
- (i) It shall be the responsibility of the Owner to ensure adequate provision for sanitation facilities and for hygienic disposal of the waste generated in the Banquet Hall complex, so that no inconvenience or hardship is caused to the neighbourhood on any account.
- (j) The Owner shall ensure provision and maintenance of allied facilities, as per the Building Bye-Laws and the Guidelines, Rules and Regulations of the DDA, Civic Agencies and the GNCTD.
- (k) All the measures required for ensuring structural, fire safety shall be the responsibility of the Owner.
- (l) License from DCP (Licensing), provision of parking during the events and clearance from Traffic Police, shall be the responsibility of the Owner.
- (m) In the applicant makes addition/alteration to the existing industrial building or reconstructs the building for banquet hall the approved building plans as per Building Bye-Laws shall be necessary. In such cases, the norms of parking for Banquet Hall use premises as per MPD-2021 shall be applicable. [Refer table 13.17(b) of MPD-2021]
- (n) In case of permission for new banquet hall on commercial streets, the consent of the concerned Citizen Group (RWA representing the whole Area) to be obtained by the applicant.
- (o) The permission for Banquet hall shall be granted only after appropriate no. of toilets, both male and female have been provided as per the applicable Building Bye-Laws. In the existing buildings, the owner shall be responsible for making alterations/additions to ensure construction of these toilets before he applies for permission.

4. COMPETENT AUTHORITY

The Vice Chairman or any other officer/Committee as nominated by the Vice Chairman in this regard shall be Competent Authority for grant of permission in notified development areas of the Authority. In case of other local bodies, Competent Authority, would be as notified by the concerned local body.

5. APPLICATION

Application for the permission shall be submitted to the designated Competent Authority in such form as may be prescribed by the Authority, along with the location plan and such other documents as may be prescribed. [Refer compendium separately prepared by MCD]

6. REGISTRATION AND PAYMENT OF CHARGES

- (i) In respect of premises where a Banquet Hall is permitted to be operated under Clause 5.1 of MPD-2021 in Industrial and Commercial Area, the owner shall be required to declare such use by submitting such form as may be prescribed for this purpose with the local body concerned and shall pay one time registration charges at the rates to be notified with the approval of the Central Government.
- (ii) The Banquet Hall on notified commercial street shall be governed as per condition (iv) to sub-para 15.12.3 vide notification S.O. 2034(E) dated 12-8-2008. [Refer condition (iv) to sub-para 15.12.3 vide Gazette notification S.O. 2034(E) dated 12-8-2008]
- (iii) Permission for using the premises for Banquet Hall shall be subject to the payment of necessary fee along with the conversion charges and deficient parking charges (in case of existing building prior to notification of MPD-2021) on the prevailing rates as approved by the Government from time to time.

7. CONDITION FOR DENIAL/WITHDRAWAL OF PERMISSION

Permission of registration granted under these Regulations can be cancelled or suspended by the Authority or the concerned local body in case of violation of any of the conditions under which such permissions/registration was granted.

8. PENAL ACTION

- (i) In case of violation of the above said provisions, action shall be taken under the relevant provisions of the Act of concerned local body/DDA. If the violation of any of the provisions is reported by RWA or noticed by the local body/DDA and found correct on verification by the concerned local body/DDA, then the premises shall be sealed by the concerned local body/DDA within 15 days of the receipt of such complaints. The

premises may be desealed/permited to function only after the said violation(s) is(are) rectified.

- (ii) In addition to other penal actions available under the relevant Act, properties found to be under mixed use, without registration or in violation of the terms of this notification shall be liable to pay to the local body, a penalty amounting to 10 times the annual conversion charges for mixed use.

9. OTHER CONDITIONS

- (i) These Regulations are to be read in concurrence with the MPD-2021 and Building Bye-Laws and in case of conflict the provisions of MPD-2021 shall prevail.
- (ii) The concerned Local Body shall publish a simplified user friendly Standard Operating Procedure in the form of a "Ready-reckoner" explaining the requisite format of application, list of documents to be submitted, fee/charges, steps and procedure to be followed in processing the application, role of other departments etc. as per the approved Regulation. The local body to consider simplifying the procedure in grant of license to the extent possible.

[No. F. 3(39)2008/MP]

D. SARKAR, Commr.-cum-Secy.