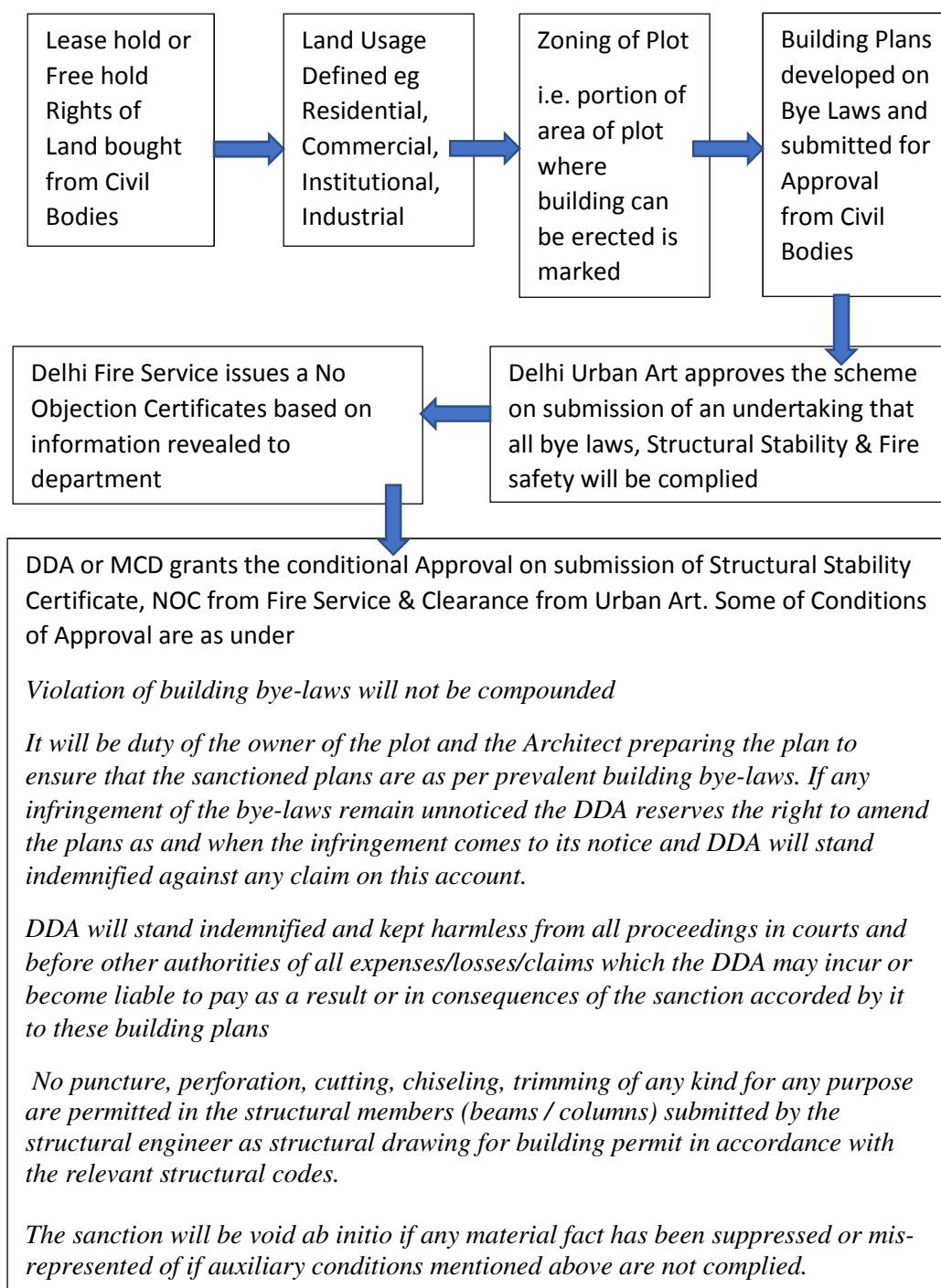


WHAT IS ILLEGAL & UNAUTHORISED CONSTRUCTION!

First, we must find it out and try to understand the concept.....

let's analyse these steps from purchase of land to the usage of building



let's study some of these bye laws laid under UBBL-2016

Clause 7.20 the minimum aggregate area of openings of habitable rooms and kitchens excluding doors shall not be less than 1/10 of the floor area. No portion of a room shall be assumed to be lighted if it is more than 7.50 m from the opening assumed for lighting that portion.

Clause 7.1 notes. In case of group housing all open spaces provided either in interior or exterior shall be kept free from any erections thereon and shall open to the sky.

Clause 8.1 The hard surface approach road to the building all around shall be capable of taking the weight of fire engine, weighing upto 45 ton having 6.0 m width (with 9.0 m turning circle at the corners). The said open space shall be kept free of obstructions and shall be motorable.

Clause 8.5.6 Gas supply a. Town Gas / L.P. Gas Supply Pipes – Where gas pipes are run in buildings, the same shall be run in separate shafts exclusively for this purpose and these shall be on external walls, away from the staircases.

Clause 11.4.1 Access Path / Walk Way Access path from plot entry and surface parking to building entrance shall be minimum of 1.8 m wide having even surface without any steps

ANNEXURE -IV PENAL ACTION FOR VIOLATION OF PROVISIONS OF MASTER PLAN/ZONAL PLAN REGULATIONS/ BYE-LAWS (Please refer clause 2.29.1 of this document)

All fees and charges to be decided by Authority / concerned local body as notified from time to time

(A) Non-Compoundable Items: Any deviations from the maximum, minimum prescribed limits regarding: -

1. No. of floors
2. No. of DUs & density
3. Parking norms
4. Light and ventilation provisions
5. Use premises
6. All other provision of these bye-laws except items given in para 'B' below shall not be compounded/ regularized and shall have to be rectified by altering/demolition at the risk and cost of owner. Besides this any other action as per terms & conditions of lease and provisions of Delhi Development Act, 1957 shall proceed.
7. Staircase.

(B) Compoundable Items

Authority/concerned local body shall be empowered after levying penalty to compound deviations from limits of coverage In group Housing schemes 5% FAR beyond permissible FAR can be compounded by the authority /concerned Local Body at the time of considering the completion /occupancy certificate.

let's study some of the Clauses laid under Delhi Fire Service Rules 2010

Rule 27. Classes of occupancies likely to cause a risk of fire. The following classes of occupancies for the purposes of sub-section (1) of section 25 of the Act shall be construed to likely cause a risk of fire, namely:-
(2) Residential buildings (other than hotels and guest houses) having height more than 15 meters or having ground plus four upper stories including mezzanine floor.

Rule 31. Removal of encroachments or objects or goods likely to cause a risk of fire or any obstruction to firefighting.

Rule 33. Minimum standards for fire prevention and fire safety for buildings. (1) The minimum standards for fire prevention and fire safety for buildings as may be applicable with reference to the height of the building and class of occupancy for the purposes of section 32 and section 35 of the Act shall be as are provided in the building bye-laws or National Building Code of India 2005 relating to the following matters: -
(1) Access to building (2) Number, Width, Type and Arrangement of exits. (3) Protection of Exits by means of fire check door (s) and or pressurization. (4) Compartmentation. (5) Smoke Management System. (6) Fire Extinguishers. (7) First-Aid Hose Reels. (8) Automatic fire detection and alarming system. (9) MOEFA. (10) Public Address System. (11) Automatic Sprinkler System. (12) Internal Hydrants and Yard Hydrants. (13) Pumping Arrangements. (14) Captive Water Storage for firefighting. (15) Exit Signage. (16) Provision of Lifts. (17) Standby power supply (18) Refuge Area. (19) Fire Control

let's study some of the Clauses of Delhi Apartment Ownership Act 1986

(4) (a) The percentage of the undivided interest of each apartment owner in the common areas and facilities shall have a permanent character, and shall not be altered without the written consent of all the apartment owners.

(6) Each apartment owner may use the common areas and facilities in accordance with the purposes for which they are intended without hindering or encroaching upon the lawful rights of the other apartment owners.