DELHI DEVELOPMENT AUTHORITY (PROCEDURE TO STOP DEVELOPMENT) RULES, 1974

In exercise of the powers conferred by clause (jj) of sub-section (2) of section 56 read with sub-section (3) of section 31 of the Delhi Development Act, 1957 (61 of 1957), the Central Government hereby makes the following rules, namely:—

1. Short title and commencement

(1) These rules may be called the Delhi Development Authority (Procedure to Stop Development) Rules, 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions

In these rules, unless the context otherwise requires,—

(1) "Act" means the Delhi Development Act of 1957 (61 of 1957);

(2) "Administrator" means the Administrator of Union Territory of Delhi;

(3) "Competent Local Authority" means the Delhi Municipal Corporation, the New Delhi Municipal Committee, or the Cantonment Board, as the case may be;

(4) "Master Plan" means the master plan of Delhi approved by the Central Government under sub-section (2) of section 9 of the Act.

(5) "Zonal Development Plan" means the Zonal development plan of a zone approved by the Central Government under sub-section (2) of section 9 of the Act.

3. If any development in an area other than a development area has been commenced in contravention of the master plan or zonal development plan for that zone, or without the approval or sanction referred to in section 12 of the Act, or in contravention of any condition subject to which such approval or sanction has been given and competent local authority has failed to make an order under sub-section (1) of section 31 of the Act requiring the development to be discontinued, or, as the case may be, a requisition under sub-section (2) of section 31 of the Act requiring a police officer to remove the person by whom the development has been commenced and all his assistants and workmen from the place of development, within the time specified in this behalf by the Administrator, under sub-section (3) of section 31 of the Act, the Administrator

shall, if he is of the opinion that such development should be discontinued, serve a notice upon the owner of such development, or the person at whose instance it has been commenced, calling upon him to show cause, within a period of fifteen days why a direction be not issued to an officer to make on to.

FORM A

(See Rule 3)

NOTICE UNDER SUB-RULE (1) OF RULE 3 OF THE DELHI DEVELOPMENT AUTHORITY (PROCEDURE TO STOP DEVELOPMENT) RULES, 1974

To

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.....

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No. .....

Dated .....

Whereas it has come to my notice that on Plot No. ..... falling within the jurisdiction of the Delhi Municipal Corporation/ New Delhi Municipal Committee/ Cantonment Board, the following development has been commenced, namely:—

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And Whereas such development has been commenced in contravention of the Master Plan of Delhi/ in contravention of the Zonal Development Plan of Zone (to be described)/ Municipal Corporation of Delhi/ New Delhi Municipal Committee /Cantonment Board under section 12 of the Delhi Development Act, 1957 in contravention of the conditions subject to which approval or sanction of the Municipal Corporation of Delhi/ New Delhi Municipal Committee/Cantonment Board under section 12 of the Delhi Development Act has been granted.

And Whereas the Municipal Corporation of Delhi, New Delhi Municipal Committee/ Cantonment Board / has failed to make an order under sub-section (1), a requisition under sub-section (2) of section 31 of the Delhi Development Act, 1957 (61 of 1957), within the time allowed by the undersigned in this behalf.

And Whereas you as the owner of the said development or at whose instance the said development has been commenced are called upon to show cause why such development should not be directed to be removed/stopped within ..... days.

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