# DELHI DEVELOPMENT AUTHORITY (SEALING OF DEVELOPMENT) RULES, 1986

G.S.R. 313 (E), dt. 21.02.1986 published dt. 24.02.1986

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

**1. Short title**

(1) These rules may be called the Delhi Development Authority (Sealing of Development) Rules, 1986.

(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,—

(i) 'Act' means the Delhi Development Act, 1957 (61 of 1957);

(ii) 'Authority' means the Delhi Development Authority constituted under section 3 of the Act;

(iii) 'the Competent Authority' means the Competent Authority as defined in the Explanation to section 31D of the Act.

**3. Order of sealing and its service**

The order of sealing a development shall be made in writing and shall be served upon the owner or the person at whose instance the development has been commenced or is being carried out or has been completed in the manner provided under section 43 of the Act.

**4. Manner of sealing unauthorised development**

These sealing under sub section (1) of section 31A of the Act shall be made in the following manner, namely:—

(i) affixing the office seal on outer door or opening of the development after all other outlets and inlets to the development have been properly bolted, locked, or encircled with rope, wire or wire-mesh;

(ii) where doors and windows have not been fixed to the development or where the development is of such a nature that it cannot be encircled with rope, wire or wire-mesh in that case such development shall be covered by wooden planks, iron or cement sheets and office seal affixed in a manner that no person can enter into or upon the development without tampering the office seal; or

(iii) where any development is found locked, the lock may be broken open or any door, gate or any other barrier caused to be opened and

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an inventory of the articles found in the premises shall be taken in the presence.

## COMMENTS

Unauthorised development — Sealing of property vis-a-vis Principles of natural justice — Observance of those principles, are inherently prescribed under provision of Section 31A read with relevant rules. • *T.M.Apartments Pvt.Ltd. v. Delhi Development Authority 1990 RLR 345 : 1990 (41) DLT 139 : 1990 (3) DL 10 : 1990 (1) ILR(Del) 431 : 1990 AIR(Del) 247 : 1990 LE(Del) 89*

Power of DDA — Sealing of building — Sealing is to be effected only if conditions and circumstances mentioned in said provisions are applied with or satisfied. • *T.M.Apartments Pvt.Ltd. v. Delhi Development Authority 1990 RLR 345 : 1990 (41) DLT 139 : 1990 (3) DL 10 : 1990 (1) ILR(Del) 431 : 1990 AIR(Del) 247 : 1990 LE(Del) 89*

Unauthorised Development — Seal of premises — Principles of natural justice — Principles are in as order of sealing should be served and the premises can be sealed only if mistake is not removed. • *T.M.Apartments Pvt.Ltd. v. Delhi Development Authority 1990 RLR 345 : 1990 (41) DLT 139 : 1990 (3) DL 10 : 1990 (1) ILR(Del) 431 : 1990 AIR(Del) 247 : 1990 LE(Del) 89*