

IndiaCode

The Delhi Development Act, 1957

(ACT NO. 61 OF 1957)

[*As on the* 1*st August,* 2026]

LIST OF AMENDING ACTS

1. The Delhi Development (Amendment) Act, 1963 (56 of 1963).
2. The Repealing and Amending Act, 1964 (52 of 1964).
3. The Delhi Administration Act, 1966 (19 of 1966).
4. The Delhi Development (Amendment) Act, 1976 (4 of 1976).
5. The Delhi Development (Amendment) Act, 1984 (38 of 1984).
6. The Delhi Development (Amendment) Act, 1996 (36 of 1996).
7. The *Jan Vishwas* (Amendment of Provisions) Act, 2026 (8 of 2026).

LIST OF ABBREVIATIONS USED

Cl., cls.	. . . . .	*for*	Clause, clauses.
Ins.	. . . . .	,,	Inserted.
Notifn.	. . . . .	,,	Notification.
S., ss.	. . . . .	,,	Section, sections.
Sch.	. . . . .	,,	Schedule.
Subs.	. . . . .	,,	Substituted.
w.e.f.	. . . . .	,,	with effect from.

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THE DELHI DEVELOPMENT ACT, 1957

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THE DELHI DEVELOPMENT ACT, 1957

ACT NO. 61 OF 1957

[27*th December,* 1957.]

An Act to provide for the development of Delhi according to plan and for matters ancillary thereto.

BE it enacted by Parliament in the Eighth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(*1*) This Act may be called the Delhi Development Act, 1957.

(*2*) It extends to the whole of the [1][National Capital Territory of Delhi].

(*3*) It shall come into force on such date[2] as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "amenity" includes road, water supply, street lighting, drainage, sewerage, public works and such other convenience as the Central Government may, by notification in the Official Gazette, specify to be an amenity for the purposes of this Act;

(*b*) "building" includes any structure or erection or part of a structure or erection which is intended to be used for residential, industrial, commercial or other purposes, whether in actual use or not;

(*c*) "building operations" includes rebuilding operations, structural alterations of or additions to buildings and other operations normally undertaken in connection with the construction of buildings;

(*d*) "development" with its grammatical variations means the carrying out of building, engineering, mining or other operations in, on, over or under land or the making of any material change in any building or land and includes redevelopment;

(*e*) "development area" means any area declared to be a development area under sub-section (*1*) of section 12;

(*f*) "engineering operations" includes the formation or laying out of means of access to a road or the laying out of means of water supply;

(*g*) "means of access" includes any means of access whether private or public, for vehicles or for foot passengers, and includes a road;

(*h*) "regulation" means a regulation made under this Act by the Delhi Development Authority constituted under section 3;

(*i*) "rule" means a rule made under this Act by the Central Government;

(*j*) "to erect" in relation to any building includes—

(*i*) any material alteration or enlargement of any building,

(*ii*) the conversion by structural alteration into a place for human habitation of any building not originally constructed for human habitation,

(*iii*) the conversion into more than one place for human habitation of a building originally constructed as one such place,

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1. Subs. by Act 36 of 1996, s. 2, for "Union territory of Delhi" (w.e.f. 21-12-1996).
2. 30th December, 1957, *vide* notifn. No. S. R. O. 120, dated 30th December, 1957, *see* Gazette of India, Extraordinary, Part. II, sec. 3.

(*iv*) the conversion of two or more places of human habitation into a greater number of such places,

(*v*) such alterations of a building as affect an alteration of its drainage or sanitary arrangements, or materially affect its security,

(*vi*) the addition of any rooms, buildings, houses or other structures to any building, and

(*vii*) the construction in a wall adjoining any street or land not belonging to the owner of the wall, of a door opening on to such street or land;

(*k*) "zone" means any one of the divisions in which Delhi may be divided for the purposes of development under this Act;

[1][(*l*) the expression "land" shall have the meaning assigned to it in section 3 of the Land Acquisition Act, 1894 (1 of 1894).]

CHAPTER II

THE DELHI DEVELOPMENT AUTHORITY AND ITS OBJECTS

3. The Delhi Development Authority.—(*1*) As soon as may be after the commencement of this Act, the Central Government shall, by notification in the Official Gazette, constitute for the purposes of this Act an authority to be called the Delhi Development Authority (hereinafter referred to as the Authority).

(*2*) The Authority shall be a body corporate by the name aforesaid having perpetual succession and a common seal with power to acquire, hold and dispose of property, both movable and immovable and to contract and shall by the said name sue and be sued.

(*3*) The Authority shall consist of the following members, namely:—

(*a*) a chairman who shall be the [2][Lieutenant Governor] of the [3][National Capital Territory of Delhi], *ex officio*;

(*b*) a vice-chairman to be appointed by the Central Government;

(*c*) a finance and accounts member to be appointed by the Central Government;

(*d*) an engineer member to be appointed by the Central Government;

(*e*) as and when the Municipal Corporation of Delhi is established, two representatives of that Corporation to be elected by the councillors and aldermen of the Corporation from among themselves;

[4][(*f*) three representatives of the Legislative Assembly of the National Capital Territory of Delhi to be elected by means of a single transferable vote by the members of the Legislative Assembly from among themselves of which two shall be from among the ruling party and one from the party in opposition to the Government:

Provided that no member of the Council of Ministers for the Government of National Capital Territory of Delhi shall be eligible to be elected to the Authority.

Explanation.—For the purposes of this clause, "ruling party" and "party in opposition to Government" shall mean the ruling party and the party in opposition to the Government recognised as such by the Speaker of the Legislative Assembly of the National Capital Territory of Delhi;]

[5][(*g*) three other persons to be nominated by the Central Government, of whom one shall be a person with experience of town planning or architecture; and]

(*h*) the Commisioner of the Municipal Corporation of Delhi, *ex officio*.

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1. Subs. by Act 56 of 1963, s. 2, for clause (*l*) (w.e.f. 30-12-1963).
2. Subs. by Act 36 of 1996, s. 2, for "Administrator" (w.e.f. 21-12-1996).
3. Subs. by s. 2, *ibid*., for "Union territory of Delhi" (w.e.f. 21-12-1996).
4. Subs. by s. 3, *ibid*., for clause (*f*) (w.e.f. 21-12-1996).
5. Subs. by Act 56 of 1963, s. 3, for clause (*g*) (w.e.f. 30-12-1963).

[1][(*3A*) The appointment of the vice-chairman may be either whole-time or part-time as the Central Government may think fit but the appointment of the finance and accounts member and the engineer member shall be whole-time.]

[2][(*4*) The vice-chairman, if he is a whole-time member, the finance and accounts member and the engineer member shall be entitled to receive from the funds of the Authority such salaries and such allowances, if any, and governed by such conditions of service as may be determined by rules made in this behalf.

(*5*) The vice-chairman, if he is a part-time member, and other members specified in clause (*e*), clause (*f*) and clause (*g*) of sub-section (*3*) may be paid from the funds of the Authority such allowances, if any, as may be fixed by the Central Government in this behalf.]

(*6*) The vice-chairman, the finance and accounts member, the engineer member and the [3][three members] referred to in clause (*g*) of sub-section (*3*) shall hold office during the pleasure of the Central Government [4]***.

[5][(*7*) An elected member shall hold office for a term of five years from the date of his election to the Authority and shall be eligible for re-election:

Provided that such term shall come to an end as soon as the member ceases to be a member of the body from which he was elected.]

(*9*) A member other than an *ex officio* member may resign his office by writing under his hand addressed to the Central Government but shall continue in office until his resignation is accepted by that Government.

(*10*) No act or proceedings of the Authority shall be invalid by reason of the existence of any vacancy in, or defect in the constitution of, the Authority.

4. Staff of the Authority.—(*1*) The Central Government may appoint two suitable persons respectively as the secretary and the chief accounts officer of the Authority who shall exercise such powers and perform such duties as may be prescribed by regulations or delegated to them by the Authority or the chairman.

(*2*) Subject to such control and restrictions as may be prescribed by rules, the Authority may appoint such number of other officers and employees (including experts for technical work) as may be necessary for the efficient performance of its functions and may determine their designations and grades.

(*3*) The secretary, chief accounts officer and other officers and employees of the Authority shall be entitled to receive from the funds of the Authority such salaries and such allowances, if any, and shall be governed by such conditions of service as may be determined by regulations made in this behalf.

5. Advisory Council.—(*1*) The Authority shall, as soon as may be, constitute an advisory council for the purpose of advising the Authority on the preparation of the master plan and [6][on such other matters relating to the planning of development, or] arising out of, or in connection with, the administration of this Act as may be referred to it by the Authority.

(*2*) The advisory council shall consist of the following members, namely:—

(*a*) the chairman of the Authority, *ex officio*, who shall be the president;

(*b*) two persons with knowledge of town planning or architecture to be nominated by the Central Government;

1. Ins. by Act 56 of 1963, s. 3 (w.e.f. 30-12-1963).
2. Subs. by s. 3, *ibid.,* for sub-sections (*4*) and (*5*) (w.e.f. 30-12-1963).
3. Subs. by s. 3, *ibid.,* for "two members" (w.e.f. 30-12-1963).
4. Certain words, brackets and letter omitted by Act 19 of 1966, s. 36 (w.e.f. 7-9-1966).
5. Subs. by s. 36, *ibid.,* for sub-sections (*7*) and (8) (w.e.f. 7-9-1966).
6. Subs. by Act 56 of 1963, s. 4, for certain words (w.e.f. 30-12-1963).

(*c*) one representative of the Health Services of Delhi administration to be nominated by the Central Government;

(*d*) four representatives of the Municipal Corporation of Delhi to be elected by the councillors and aldermen from among themselves;

[1][(*e*) two persons representing the Delhi Electric Supply Committee and the Delhi Water Supply and Sewage Disposal Committee of the said Corporation, of whom—

(*i*) one shall be elected by the members of the Delhi Electric Supply Committee from among themselves; and

(*ii*) one shall be elected by the members of the Delhi Water Supply and Sewage Disposal Committee from among themselves;

(*ee*) one representative of the Delhi Transport Corporation to be nominated by the Central Government;]

(*f*) three persons to be nominated by the Central Government of whom one shall represents the interests of commerce and industry and one, the interests of labour, in Delhi;

(*g*) four persons from the technical departments of the Central Government to be nominated by that Government; and

(*h*) three members of Parliament of whom two shall be members of the House of the People and one shall be a member of the Council of States to be elected respectively by the members of the House of the People and the members of the Council of States.

(*3*) The Council shall meet as and when necessary and shall have the power to regulate its own procedure.

(*4*) An elected member shall hold office for a term of four years from the date of his election to the council and shall be eligible for re-election:

Provided that such term shall come to an end as soon as the member ceases to be a member of the body from which he was elected.

[2][**5A. Constitution of committees.—**(*1*) The Authority may constitute as many committees consisting wholly of members or wholly of other persons or partly of members and partly of other persons and for such purpose or purposes as it may think fit.

(*2*) A committee constituted under this section shall meet at such time and place and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be determined by regulations made in this behalf.

(*3*) The members of a committee (other than the members of the Authority) shall be paid such fees and allowances for attending its meetings and for attending to any other work of the Authority, as may be determined by regulations made in this behalf.]

6. Objects of the Authority.—The objects of the Authority shall be to promote and secure the development of Delhi according to plan and for that purpose the Authority shall have the power to acquire, hold, manage and dispose of land and other property, to carry out building, engineering, mining and other operations, to execute works in connection with supply of water and electricity, disposal of sewage and other services and amenities and generally to do anything necessary or expedient for purposes of such development and for purposes incidental thereto:

Provided that save as provided in this Act, nothing contained in this Act shall be construed as authorising the disregard by the Authority of any law for the time being in force.

1. Subs. by Act 38 of 1984, s. 2, for clause (*e*) (w.e.f. 12-03-1985).
2. Ins. by Act 56 of 1963, s. 5 (w.e.f. 30-12-1963).

CHAPTER III

MASTER PLAN AND ZONAL DEVELOPMENT PLANS

7. Civic survey of, and master plan for, Delhi.—(*1*) The Authority shall, as soon as may be, carry out a civic survey of, and prepare a master plan for, Delhi.

(*2*) The master plan shall—

(*a*) define the various zones into which Delhi may be divided for the purposes of development and indicate the manner in which the land in each zone is proposed to be used (whether by the carrying out thereon of development or otherwise) and the stages by which any such development shall be carried out; and

(*b*) serve as a basic pattern of frame-work within which the zonal development plans of the various zones may be prepared.

[1][(*3*) The master plan may provide for any other matter which is necessary for the proper development of Delhi.]

8. Zonal development plans.—(*1*) Simultaneously with the preparation of the master plan or as soon as may be thereafter, the Authority shall proceed with the preparation of a zonal development plan for each of the zones into which Delhi may be divided.

(*2*) A zonal development plan may—

(*a*) contain a site-plan and use-plan for the development of the zone and show the approximate locations and extents of land-uses proposed in the zone for such things as public buildings and other public works and utilities, roads, housing, recreation, industry, business, markets, schools, hospitals and public and private open spaces and other categories of public and private uses;

(*b*) specify the standards of population density and building density;

(*c*) show every area in the zone which may, in the opinion of the Authority, be required or declared for development or redevelopment; and

(*d*) in particular, contain provisions regarding all or any of the following matters, namely:—

(*i*) the division of any site into plots for the erection of buildings;

(*ii*) the allotment or reservation of land for roads, open spaces, gardens, recreation grounds, schools, markets and other public purposes;

(*iii*) the development of any area into a township or colony and the restrictions and conditions subject to which such development may be undertaken or carried out;

(*iv*) the erection of buildings on any site and the restrictions and conditions in regard to the open spaces to be maintained in or around buildings and height and character of buildings;

(*v*) the alignment of buildings on any site;

(*vi*) the architectural features of the elevation or front age of any building to be erected on any site;

(*vii*) the number of residential buildings which may be erected on any plot or site;

(*viii*) the amenities to be provided in relation to any site or buildings on such site whether before or after the erection of buildings and the person or authority by whom or at whose expense such amenities are to be provided;

(*ix*) the prohibitions or restrictions regarding erection of shops, workshops, warehouses or factories or buildings of a specified architectural feature or buildings designed for particular purposes in the locality;

1. Ins. by Act 56 of 1963, s. 6 (w.e.f. 30-12-1963).

(*x*) the maintenance of walls, fences, hedges or any other structural or architectural construction and the height at which they shall be maintained;

(*xi*) the restrictions regarding the use of any site for purposes other than erection of buildings; and

(*xii*) any other matter which is necessary for the proper development of the zone or any area thereof according to plan and for preventing buildings being erected haphazardly in such zone or area.

9. Submission of plans to the Central Government for approval.—(*1*) In this section and in sections 10, 11, 12 and 14 the word "plan" means the master plan as well as the zonal development plan for a zone.

(*2*) Every plan shall, as soon as may be after its preparation, be submitted by the Authority to the Central Government for approval and that Government may either approve the plan without modifications or with such modifications as it may consider necessary or reject the plan with directions to the Authority to prepare a fresh plan according to such directions.

10. Procedure to be followed in the preparation and approval of plans.—(*1*) Before preparing any plan finally and submitting it to the Central Government for approval, the Authority shall prepare a plan in draft and publish it by making a copy thereof available for inspection and publishing a notice in such form and manner as may be prescribed by rules made in this behalf inviting objections and suggestions from any person with respect to the draft plan before such date as may be specified in the notice.

(*2*) The Authority shall also give reasonable opportunities to every local authority within whose local limits any land touched by the plan is situated, to make any representation with respect to the plan.

(*3*) After considering all objections, suggestions and representations that may have been received by the Authority, the Authority shall finally prepare the plan and submit it to the Central Government for its approval.

(*4*) Provisions may be made by rules made in this behalf with respect to the form and content of a plan and with respect to the procedure to be followed and any other matter, in connection with the preparation, submission and approval of such plan.

(*5*) Subject to the foregoing provisions of this section the Central Government may direct the Authority to furnish such information as that Government may require for the purpose of approving any plan submitted to it under this section.

11. Date of operation of plan.—Immediately after a plan has been approved by the Central Government, the Authority shall publish in such manner as may be prescribed by regulations a notice stating that a plan has been approved and naming a place where a copy of the plan may be inspected at all reasonable hours and upon the date of the first publication of the aforesaid notice the plan shall come into operation.

[1][CHAPTER IIIA

MODIFICATIONS TO THE MASTER PLAN AND THE ZONAL DEVELOPMENT PLAN

11A. Modifications to plan.—(*1*) The Authority may make any modifications to the master plan or the zonal development plan as it thinks fit, being modifications which, in its opinion, do not effect important alterations in the character of the plan and which do not relate to the extent of land-uses or the standards of population density.

(*2*) The Central Government may make any modifications to the master plan or the zonal development plan whether such modifications are of the nature specified in sub-section (*1*) or otherwise.

(*3*) Before making any modifications to the plan, the Authority or, as the case may be, the Central Government shall publish a notice in such form and manner as may be prescribed by rules made in this behalf inviting objections and suggestions from any person with respect to the proposed modifications before such date as may be specified in the notice and shall consider all objections and suggestions that may be received by the Authority or the Central Government.

1. Ins. by Act 56 of 1963, s. 7 (w.e.f. 30-12-1963).

(*4*) Every modification made under the provisions of this section shall be published in such manner as the Authority or the Central Government, as the case may be, may specify and the modifications shall come into operation either on the date of the publication or on such other date as the Authority or the Central Government may fix.

(*5*) When the Authority makes any modifications to the plan under sub-section (*1*), it shall report to the Central Government the full particulars of such modifications within thirty days of the date on which such modifications come into operation.

(*6*) If any question arises whether the modifications proposed to be made by the Authority are modifications which effect important alterations in the character of the plan or whether they relate to the extent of land-uses or the standards of population density, it shall be referred to the Central Government whose decision thereon shall be final.

(*7*) Any reference in any other Chapter, except Chapter III, to the master plan or the zonal development plan shall be construed as a reference to the master plan or the zonal development plan as modified under the provisions of this section.]

CHAPTER IV

DEVELOPMENT OF LANDS

12. Declaration of development areas and development of land in those and other areas.—[1][(*1*) As soon as may be after the commencement of this Act, the Central Government may, by notification in the Official Gazette, declare any area in Delhi to be a development area for the purposes of this Act:

Provided that no such declaration shall be made unless a proposal for such declaration has been referred by the Central Government to the Authority and the Municipal Corporation of Delhi for expressing their views thereon within thirty days from the date of the receipt of the reference or within such further period as the Central Government may allow and the period so specified or allowed has expired.]

(*2*) Save as otherwise provided in this Act, the Authority shall not undertake or carry out any development of land in any area which is not a development area.

(*3*) After the commencement of this Act no development of land shall be undertaken or carried out in any area by any person or body (including a department of Government) unless,—

(*i*) where that area is a development area, permission for such development has been obtained in writing from the Authority in accordance with the provisions of this Act;

(*ii*) where that area is an area other than a development area, approval of, or sanction for, such development has been obtained in writing from the local authority concerned or any officer or authority thereof empowered or authorised in this behalf, in accordance with the provisions made by or under the law governing such authority or until such provisions have been made, in accordance with the provisions of the regulations relating to the grant of permission for development made under the Delhi (Control of Building Operations) Act, 1955 (53 of 1955), and in force immediately before the commencement of this Act:

Provided that the local authority concerned may [2][subject to the provisions of section 53A] amend those regulations in their application to such area.

(*4*) After the coming into operation of any of the plans in any area no development shall be undertaken or carried out in that area unless such development is also in accordance with such plans.

(*5*) Notwithstanding anything contained in sub-sections (*3*) and (*4*) development of any land begun by any department of Government or any local authority before the commencement of this Act may be completed by that department or local authority without compliance with the requirements of those sub-sections.

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1. Subs. by Act 56 of 1963, s. 8, for sub-section (*1*) (w.e.f. 30-12-1963).
2. Ins. by s. 8, *ibid.* (w.e.f. 30-12-1963).

13. Application for permission.—(*1*) Every person or body (including a department of Government) desiring to obtain the permission referred to in section 12 shall make an application in writing to the Authority in such form and containing such particulars in respect of the development to which the application relates as may be prescribed by regulations.

(*2*) Every application under sub-section (*1*) shall be accompanied by such fee as may be prescribed by rules:

Provided that no such fee shall be necessary in the case of an application made by a department of the Government.

(*3*) On the receipt of an application for permission under sub-section (*1*), the Authority after making such inquiry as it considers necessary in relation to any matter specified in clause (*d*) of sub-section (*2*) of section 8 or in relation to any other matter, shall, by order in writing, either grant the permission, subject to such conditions, if any, as may be specified in the order or refuse to grant such permission:

Provided that before making an order refusing such permission, the applicant shall be given a reasonable opportunity to show cause why the permission should not be refused.

(*4*) Where permission is refused, the grounds of such refusal shall be recorded in writing and communicated to the applicant in the manner prescribed by regulations.

(*5*) The Authority shall keep in such form as may be prescribed by regulations a register of applications for permission under this section.

(*6*) The said register shall contain such particulars including information as to the manner in which applications for permission have been dealt with as may be prescribed by regulations and shall be available for inspection by any member of the public at all reasonable hours on payment of such fee not exceeding rupees five as may be prescribed by regulations.

(*7*) Where permission is refused under this section, the applicant or any person claiming through him shall not be entitled to get refund of the fee paid on the application for permission but the Authority may, on an application for refund being made within three months of the communication of the grounds of the refusal under sub-section (*4*) direct refund of such portion of the fee as to it may seem proper in the circumstances of the case.

14. User of land and buildings in contravention of plans.—After the coming into operation of any of the plans in a zone no person shall use or permit to be used any land or building in that zone otherwise than in conformity with such plan:

Provided that it shall be lawful to continue to use upon such terms and conditions as may be prescribed by regulations made in this behalf any land or building for the purpose and to the extent for and to which it is being used upon the date on which such plan comes into force.

CHAPTER V

ACQUISITION AND DISPOSAL OF LAND

[1][**15. Compulsory acquisition of land.—**(*1*) If in the opinion of the Central Government, any land is required for the purpose of development, or for any other purpose, under this Act, the Central Government may acquire such land under the provisions of the Land Acquisition Act, 1894 (1 of 1894).

(*2*) Where any land has been acquired by the Central Government, that Government may, after it has taken possession of the land, transfer the land to the Authority or any local authority for the purpose for which the land has been acquired on payment by the Authority or the local authority of the compensation awarded under that Act and of the charges incurred by the Government in connection with the acquisition.]

16. [*Compensation for compulsory acquisition of land.*] *Omitted by the Delhi Development* (*Amendment*) *Act*, 1960 (56 *of* 1963), *s*. 10 (*w.e.f.* 30-12-1963).

1. Subs. by Act 56 of 1963, s. 9, for section 15 (w.e.f. 30-12-1963).

17. [*Appeal to the district judge against decision of the collector.*] *Omitted by the Delhi Development* (*Amendment*) *Act*, 1963 (56 *of* 1963), *s*. 10 (*w.e.f.* 30-12-1963).

18. [*Disputes as to apportionment of the compensation.*] *Omitted by s*. 10, *ibid.* (*w.e.f.* 30-12-1963).

19. [*Payment of compensation or deposit of the same in court.*] *Omitted by s*. 10, *ibid.* (*w.e.f.* 30-12-1963).

20. [*Investment of the amount of compensation deposited in court.*] *Omitted by s*. 10, *ibid.* (*w.e.f.* 30-12-1963).

21. Disposal of land by the Authority or the local authority concerned.—(*1*) Subject to any directions given by the Central Government under this Act, the Authority or, as the case may be, the local authority concerned may dispose of—

(*a*) any land acquired by the Central Government and transferred to it, without undertaking or carrying out any development thereon; or

(*b*) any such land after undertaking or carrying out such development as it thinks fit,

to such persons, in such manner and subject to such terms and conditions as it considers expedient for securing the development of Delhi according to plan.

(*2*) The powers of the Authority or, as the case may be, the local authority concerned with respect to the disposal of land under sub-section (*1*) shall be so exercised as to secure, so far as practicable, that persons who are living or carrying on business or other activities on the land shall, if they desire to obtain accommodation on land belonging to the Authority or the local authority concerned and are willing to comply with any requirements of the Authority or the local authority concerned as to its development and use, have an opportunity to obtain thereon accommodation suitable to their reasonable requirements on terms settled with due regard to the price at which any such land has been acquired from them:

Provided that where the Authority or the local authority concerned proposes to dispose of by sale any land without any development having been undertaken or carried out thereon, it shall offer the land in the first instance to the persons from whom it was acquired, if they desire to purchase it subject to such requirements as to its development and use as the Authority or the local authority concerned may think fit to impose.

(*3*) Nothing in this Act shall be construed as enabling the Authority or the local authority concerned to dispose of land by way of gift, mortgage or charge, but subject as aforesaid reference in this Act to the disposal of land shall be construed as reference to the disposal thereof in any manner, whether by way of sale, exchange or lease or by the creation of any easement right or privilege or otherwise.

22. Nazul lands.—(*1*) The Central Government may, by notification in the Official Gazette and upon such terms and conditions as may be agreed upon between that Government and the Authority, place at the disposal of the Authority all or any developed and undeveloped lands in Delhi vested in the Union (known and hereinafter referred to as "nazul lands") for the purpose of development in accordance with the provisions of this Act.

(*2*) No development of any nazul land shall be undertaken or carried out except by, or under the control and supervision of, the Authority after such land has been placed at the disposal of the Authority under sub-section (*1*).

(*3*) After any such nazul land has been developed by, or under the control and supervision of, the Authority, it shall be dealt with by the Authority in accordance with rules made and directions given by the Central Government in this behalf.

(*4*) If any nazul land placed at the disposal of the Authority under sub-section (*1*) is required at any time thereafter by the Central Government, the Authority shall, by notification in the Official Gazette, replace it at the disposal of that Government upon such terms and conditions as may be agreed upon between that Government and the Authority.

[1][**22A. Power of Authority to develop land in non-development area.—**Notwithstanding anything contained in sub-section (*2*) of section 12, the Authority may, if it is of opinion that it is expedient to do so, undertake or carry out any development of any land which has been transferred to it or placed at its disposal under section 15 or section 22 even if such land is situate in any area which is not a development area.]

CHAPTER VI

FINANCE, ACCOUNTS AND AUDIT

23. Fund of the Authority.—(*1*) The Authority shall have and maintain its own fund to which shall be credited—

(*a*) all moneys received by the Authority from the Central Government by way of grants, loans, advances or otherwise;

[2][(*aa*) all moneys borrowed by the Authority from sources other than the Central Government by way of loans or debentures;]

(*b*) all fees and charges received by the Authority under this Act;

(*c*) all moneys received by the Authority from the disposal of lands, buildings and other properties, movable and immovable; and

(*d*) all moneys received by the Authority by way of rents and profits or in any other manner or from any other source.

(*2*) The fund shall be applied towards meeting the expenses incurred by the Authority in the administration of this Act and for no other purposes.

(*3*) The Authority may keep in current account of the State Bank of India or any other bank approved by the Central Government in this behalf such sum of money out of its fund as may be prescribed by rules and any money in excess of the said sum shall be invested in such manner as may be approved by the Central Government.

(*4*) The Central Government may, after due appropriation made by Parliament by law in this behalf, make such grants, advances and loans to the Authority as that Government may deem necessary for the performance of the functions of the Authority under this Act; and all grants, loans and advances made shall be on such terms and conditions as the Central Government may determine.

[2][(*5*) The Authority may borrow money by way of loans or debentures from such sources (other than the Central Government) and on such terms and conditions as may be approved by the Central Government.

(*6*) The Authority shall maintain a sinking fund for the repayment of moneys borrowed under sub-section (*5*), and shall pay every year into the sinking fund such sum as may be sufficient for repayment within the period fixed of all moneys so borrowed.

(*7*) The sinking fund or any part thereof shall be applied in, or towards, the discharge of the loan for which such fund was created, and until such loan is wholly discharged it shall not be applied for any other purpose.]

24. Budget of the Authority.—The Authority shall prepare in such form and at such time every year as may be prescribed by rules a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure of the Authority and shall forward to the Central Government such number of copies thereof as may be prescribed by rules.

25. Accounts and audit.—(*1*) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance-sheet in such form as the Central Government may by rules prescribed in consultation with the Comptroller and Auditor-General of India.

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1. Ins. by Act 56 of 1963, s. 11 (w.e.f. 30-12-1963).
2. Ins. by s. 12, *ibid.* (w.e.f. 30-12-1963).

(*2*) The accounts of the Authority shall be subject to audit annually by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Authority to the Comptroller and Auditor-General of India.

(*3*) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of accounts of the Authority shall have the same right, privilege and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the office of the Authority.

(*4*) The accounts of the Authority as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause a copy of the same to be laid before both Houses of Parliament.

26. Annual report.—The Authority shall prepare for every year a report of its activities during that year and submit the report to the Central Government in such form and on or before such date as may be prescribed by rules, and that Government shall cause a copy of the report to be laid before both Houses of Parliament.

27. Pension and provident funds.—(*1*) The Authority shall constitute for the benefit of its whole-time paid members and of its officers and other employees in such manner and subject to such conditions, as may be prescribed by rules, such pension and provident funds as it may deem fit.

(*2*) Where any such pension or provident fund has been constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925 (19 of 1925), shall apply to such fund as if it were a Government Provident Fund.

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CHAPTER VII

SUPPLEMENTAL AND MISCELLANEOUS PROVISIONS

28. Powers of entry.—The Authority may authorise any person to enter into or upon any land or building with or without assistants or workmen for the purpose of—

(*a*) making any enquiry, inspection, measurement or survey or taking levels of such land or building;

(*b*) examining works under construction and ascertaining the course of sewers and drains;

(*c*) digging or boring into the sub-soil;

(*d*) setting out boundaries and intended lines of work;

(*e*) making such levels, boundaries and lines by placing marks and cutting trenches;

(*f*) ascertaining whether any land is being or has been developed in contravention of the master plan or zonal development plan or without the permission referred to in section 12 or in contravention of any condition subject to which such permission has been granted; or

(*g*) doing any other thing necessary for the efficient administration of this Act:

Provided that—

(*i*) no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or if there be no occupier, to the owner of the land or building;

(*ii*) sufficient opportunity shall in every instance be given to enable women (if any) to withdraw from such land or building;

(*iii*) due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the land or building entered.

29. [1][Punishments.]—[2][(*1*) Any person who whether at their own instance or at the instance of any other person or any body (including a department of Government) undertakes or carries out development of any land in contravention of the master plan or zonal development plan or without the permission, approval or sanction referred to in section 12 or in contravention of any condition subject to which such permission, approval or sanction has been granted, shall be—

(*a*) punishable with imprisonment of either description for a term which may extend to three years, if such development relates to utilising, selling or otherwise dealing with any land with a view to the setting up of a colony without a lay out plan;

(*b*) liable to penalty which may extend to fifty thousand rupees in any case, other than those referred to in clause (*a*).]

(*2*) Any person who uses any land or building in contravention of the provisions of section 14 or in contravention of any terms and conditions prescribed by regulations under the proviso to that section shall be [3][liable to penalty which may extend to fifty thousand rupees and in case of a continuing contravention, with further penalty which may extend to two thousand and five hundred rupees for every day during which such contravention continues after the order imposing penalty has been passed and confirmed for the first contravention].

[4][(*3*) Any person who obstructs the entry of a person authorised under section 28 into or upon any land or building shall for the first contravention be liable to penalty which may extend to ten thousand rupees and for any second or subsequent contravention, to the punishment provided under section 221 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).

(*4*) Any person who assaults any person authorised under section 28 to enter into or upon any land or building, after such entry, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to ten thousand rupees, or with both.]

30. Order of demolition of building.—[5][(*1*) Where any development has been commenced or is being carried on or has been completed in contravention of the master plan or zonal development plan or without the permission, approval or sanction referred to in section 12 or in contravention of any conditions subject to which such permission, approval or sanction has been granted,—

(*i*) in relation to a development area, any officer of the Authority empowered by it in this behalf,

(*ii*) in relation to any other area within the local limits of a local authority, the competent authority thereof,

may, in addition to any prosecution that may be instituted under this Act, make an order, directing that such development shall be removed by demolition, filling or otherwise by the owner thereof or by the person at whose instance the development has been commenced or is being carried out or has been completed, within such period (not being less than five days and more than fifteen days from the date on which a copy of the order of removal, with a brief statement of the reasons therefor, has been delivered to the owner or that person) as may be specified in the order and on his failure to comply with the order, the officer of the Authority or, as the case may be, the competent authority may remove or cause to be removed the development and the expenses of such removal shall be recovered from the owner or the person at whose instance the development was commenced or was being carried out or was completed as arrears of land revenue:

Provided that no such order shall be made unless the owner or the person concerned has been given a reasonable opportunity to show cause why the order should not be made.

(*1A*) If any development in an area other than a development area has been commenced or is being carried on or has been completed in contravention of the master plan or zonal development plan or without the approval or sanction referred to in section 12 or in contravention of any conditions subject to

1. Subs. by Act 8 of 2026, s. 2 and Sch., for "Penalties" (w.e.f. 1-8-2026).
2. Subs. by s. 2 and Sch., *ibid*., for sub-section (*1*) (w.e.f. 1-8-2026).
3. Subs. by s. 2 and Sch., *ibid*., for certain words (w.e.f. 1-8-2026).
4. Subs. by s. 2 and Sch., *ibid*., for sub-section (*3*) (w.e.f.1-8-2026).
5. Subs. by Act 56 of 1963, s. 14, for sub-section (*1*) (w.e.f. 30-12-1963).

which such approval or sanction has been granted and the competent authority has failed to remove or cause to be removed the development within the time that may be specified in this behalf by the [1][Lieutenant Governor] of the [2][National capital territory of Delhi], the [1][Lieutenant Governor] may, after observing such procedure as may be prescribed by rules made in this behalf, direct any officer to remove or cause to be removed such development and that officer shall be bound to carry out such direction and any expenses of such removal may be recovered from the owner or the person at whose instance the development was commenced or was being carried out or was completed as arrears of land revenue.]

[3]* * * * *

[4][(*2A*) Any person aggrieved by the direction of the [1][Lieutenant Governor] under sub-section (*1A*) may appeal to the Central Government within thirty days from the date thereof, and the Central Government may after giving an opportunity of hearing to the person aggrieved, either allow or dismiss the appeal or may reverse or vary any part of the direction.]

[5][(*3*) The decision of [6][the Central Government on the appeal and subject only to such decision], the direction under sub-section (*1A*), shall be final and shall not be questioned in any court.

(*4*) The provisions of this section shall be in addition to, and not in derogation of, any other provision relating to demolition of buildings contained in any other law for the time being in force.]

[7][**31. Power to stop development.—**(*1*) Where any development in any area has been commenced in contravention of the master plan or zonal development plan or without the permission, approval or sanction referred to in section 12 or in contravention of any conditions subject to which such permission, approval or sanction has been granted,—

(*i*) in relation to a development area, the Authority or any officer of the Authority empowered by it in this behalf,

(*ii*) in relation to any other area within the local limits of a local authority, the competent authority thereof,

may, in addition to any prosecution that may be instituted under this Act, make an order requiring the development to be discontinued on and from the date of the service of the order, and such order shall be complied with accordingly.

(*2*) Where such development is not discontinued in pursuance of the order under sub-section (*1*), the Authority or the officer of the Authority or the competent authority, as the case may be, may require any police officer to remove the person by whom the development has been commenced and all his assistants and workmen from the place of development [8][or to seize any construction material, tool, machinery, scaffolding or other things used in such development] within such time as may be specified in the requisition and such police officer shall comply with the requisition accordingly.

[8][(*2A*) Any of the things caused to be seized by the Authority or the officer of the Authority or the competent authority, as the case may be, under sub-section (*2*) shall, unless the owner thereof turns up to take back such things and pays to the Authority, the officer of the Authority or the competent authority, as the case may be, the charges for the removal or storage of such things, be disposed of by it or him by public auction or in such other manner and within such time as the Authority, the officer of the Authority or the competent authority thinks fit.

(*2B*) The charges for the removal and storage of the things sold under sub-section (*2A*) shall be paid out of the proceeds of the sale thereof and the balance, if any, shall be paid to the owner of the things sold on a claim being made therefor within a period of one year from the date of sale, and if no such claim is

1. Subs. by Act 36 of 1996, s. 2, for "Administrator" (w.e.f. 21-12-1996).
2. Subs. by s. 2, *ibid*., for "Union territory of Delhi" (w.e.f. 21-12-1996).
3. Omitted by Act 38 of 1984, s. 4 (w.e.f. 12-5-1985).
4. Ins. by Act 56 of 1963, s. 14 (w.e.f. 30-12-1963).
5. Subs. by Act 56 of 1963, s. 14, for sub-section (*3*) (w.e.f. 30-12-1963).
6. Subs. by Act 38 of 1984, s. 4, for certain words, brackets and figure (w.e.f. 12-5-1985).
7. Subs. by Act 56 of 1963, s. 15, for section 31 (w.e.f. 30-12-1963).
8. Ins. by Act 38 of 1984, s. 5 (w.e.f. 24-2-1986).

made within the said period, shall be credited to the fund of the Authority or the competent authority, as the case may be.]

(*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 or without the approval or sanction referred to in section 12 or in contravention of any conditions subject to which such approval or sanction has been granted and the competent authority has failed to make an order under sub-section (*1*) or, as the case may be, a requisition under sub-section (*2*), within the time that may be specified in this behalf by the [1][Lieutenant Governor] of the [2][National Capital Territory of Delhi], the [1][Lieutenant Governor] may, after observing such procedure as may be prescribed by rules made in this behalf, direct any officer to make the order or requisition, as the case may be, and that officer shall be bound to carry out such direction and the order or requisition made by him in pursuance of the direction shall be complied with accordingly.

(*4*) After the requisition under sub-section (*2*) or sub-section (*3*) has been complied with, the Authority or the competent authority or the officer to whom the direction was issued by the [1][Lieutenant Governor] under sub-section (*3*), as the case may be, may depute by a written order a police officer or an officer or employee of the Authority or local authority concerned to watch the place in order to ensure that the development is not continued.

(*5*) Any person failing to comply with an order under sub-section (*1*) or, as the case may be, under sub-section (*3*), shall be [3][liable to penalty which may extend to two thousand rupees for every day during which the non-compliance continues after the service of the order].

(*6*) No compensation shall be claimable by any person for any damage which he may sustain in consequence of the removal of any development under section 30 or the discontinuance of the development under this section.

[4]* * * * *

(*8*) The provisions of this section shall be in addition to, and not in derogation of, any other provision relating to stoppage of building operations contained in any other law for the time being in force.]

[5][**31A. Power to seal unauthorised development.—**(*1*) It shall be lawful for the Authority or the competent authority, as the case may be, at any time, before or after making an order for the removal or discontinuance of any development under section 30 or section 31, to make an order directing the sealing of such development in the manner prescribed by rules, for the purpose of carrying out the provisions of this Act, or for preventing any dispute as to the nature and extent of such development.

(*2*) Where any development has been sealed, the Authority or the competent authority, as the case may be, may, for the purpose of removing or discontinuing such development order the seal to be removed.

(*3*) No person shall remove such seal except—

(*a*) under an order made by the Authority or the competent authority under sub-section (*2*); or

(*b*) under an order of the Appellate Tribunal or the [1][Lieutenant Governor] of the [2][National Capital Territory of Delhi], made in an appeal under this Act.

[6][**31AA**. **Adjudication of penalties**.—(*1*) For the purpose of adjudicating penalties under section 29 and sub-section (*5*) of section 31, the Central Government, shall appoint an officer not below the rank of Deputy Secretary to the Government of India as an adjudicating officer for holding an inquiry and imposing penalties in such manner as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required:

1. Subs. by Act 36 of 1996, s. 2, for "Administrator" (w.e.f. 21-12-1996).
2. Subs. by s. 2, *ibid.,* for "Union territory of Delhi" (w.e.f. 21-12-1996).
3. Subs. by Act 8 of 2026, s. 2 and Sch., for certain words (w.e.f. 1-8-2026).
4. Sub-section (*7*) omitted by Act 38 of 1984, s. 5 (w.e.f. 24-2-1986).
5. Ins. by s. 6, *ibid.* (w.e.f. 24-2-1986).
6. Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 1-8-2026).

Provided further that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.

(*2*) Any person aggrieved by an order of the adjudicating officer under sub-section (*1*) may, within thirty days from the date of receipt of such order, prefer an appeal to such officer, at least one rank higher than the adjudicating officer, as may be appointed by the Central Government to be the appellate authority, in such form and manner as may be prescribed.

(*3*) An appeal may be admitted after the expiry of the period of thirty days if the appellant satisfies the appellate authority that he had sufficient cause for not preferring the appeal within that period.

(*4*) The appellate authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he may think fit.

(*5*) An appeal under sub-section (*2*) shall be disposed of within sixty days from the date of filing.

(*6*) If penalty imposed by the adjudicating officer under sub-section (*1*) or by an order of the appellate authority under sub-section (*4*), as the case may be, is not deposited, the amount shall be recovered as an arrear of land revenue.]

31B. Appellate Tribunal.—The Appellate Tribunal or Appellate Tribunals constituted under section 347A of the Delhi Municipal Corporation Act, 1957, (66 of 1957) shall be deemed to be the Appellate Tribunal or Appellate Tribunals for deciding appeals under section 31C, and the provisions of section 347A and section 347C of the Delhi Municipal Corporation Act, 1957, and the rules made thereunder, shall, so far as may be, apply for the purposes of this Act as they apply for the purposes of that Act.

31C. Appeals.—(*1*) Any person aggrieved by any of the following orders made under this Act, may prefer an appeal to the Appellate Tribunal, namely:—

(*a*) an order of the Authority granting or refusing to grant permission for development under sub-section (*3*) of section 13;

(*b*) an order of the Authority or the local authority disposing of any land under section 21;

(*c*) an order of the Authority in the course of dealing with any nazul land developed by it under section 22;

(*d*) an order of an officer of the Authority or the competent authority made under sub-section (*1*) of section 30, for the removal of any development;

(*e*) an order of the Authority or an officer of the Authority, or the competent authority made under sub-section (*1*) of section 31, for discontinuing any development;

(*f*) an order of the Authority or the competent authority made under section 31A, directing the sealing of any development.

(*2*) An appeal under this section shall be filed within thirty days from the date of the order appealed against:

Provided that the Appellate Tribunal may entertain an appeal after the expiry of the said period of thirty days if it is satisfied that there was sufficient cause for not filing it within that period.

(*3*) An appeal to the Appellate Tribunal shall be made in such form and shall be accompanied by a copy of the order appealed against and by such fees as may be prescribed by rules.

31D. Appeals against orders of Appellate Tribunal.—(*1*) An appeal shall lie to the [1][Lieutenant Governor] of the [2][National Capital Territory of Delhi] against an order of the Appellate Tribunal, confirming, modifying or annulling an order of the Authority, officer of the Authority, local authority or competent authority, as the case may be, under this Act.

1. Subs. by Act 36 of 1996, s. 2, for "Administrator" (w.e.f. 21-12-1996).
2. Subs. by s. 2, *ibid.,* for "Union territory of Delhi" (w.e.f. 21-12-1996).

(*2*) The provisions of sub-sections (*2*) and (*3*) of section 31C and the provisions of section 347C of the Delhi Municipal Corporation Act, 1957 (66 of 1957), and the rules made thereunder, shall, so far as may be, apply to the filing and disposal of an appeal under this section as they apply to the filing and disposal of an appeal under the said section 31C.

(*3*) An order of the [1][Lieutenant Governor] on an appeal under this section, and subject only to such order, an order of the Appellate Tribunal under section 31C and subject to such orders of the [1][Lieutenant Governor] or an Appellate Tribunal, an order of the Authority, officer of the Authority, local authority or competent authority referred to in sub-section (*1*) of that section shall be final.

Explanation.—In sections 30, 31, 31A and 31D, "competent authority" in relation to a local authority means any authority or officer of that local authority empowered or authorised to order demolition or stoppage of buildings or works, in accordance with the provisions made by or under the law governing such local authority.

31E. Bar of jurisdiction of courts.—(*1*) After the commencement of section 6 of the Delhi Development (Amendment) Act, 1984 (38 of 1984), no court shall entertain any suit, application or other proceedings in respect of any order appealable under section 31C, and no such order shall be called in question otherwise than by preferring an appeal under that section.

(*2*) Notwithstanding anything contained in sub-section (*1*), every suit, application or other proceeding pending in any court immediately before the commencement of section 6 of the Delhi Development (Amendment) Act, 1984 (38 of 1984), in respect of any order, appealable under section 31C shall continue to be dealt with and disposed of by that court as if the said section had not been brought into force.]

32. Offences by companies.—(*1*) If the person committing an offence under this Act is a company, every person, who, at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(*2*) Notwithstanding anything contained in sub-section (*1*) where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section—

(*a*) "company" means a body corporate and includes a firm or other association of individuals; and

(*b*) "director" in relation to a firm means a partner in the firm.

33. Fines when realised to be paid to Authority or local authority concerned.—All fines realised in connection with prosecutions under this Act shall be paid to the Authority or, as the case may be, the local authority concerned.

34. Composition of offences.—[2][(*1*) Any offence made punishable by or under this Act may, either before or after the institution of proceedings, be compounded—

(*i*) in the case of an offence referred to in sub-section (*2*) of section 49, by the [1][Lieutenant Governor] of the [3][National Capital territory of Delhi] or any officer authorised by him in this behalf by general or special order; and

1. Subs. by Act 36 of 1996, s. 2, for "Administrator" (w.e.f. 21-12-1996).
2. Subs. by Act 56 of 1963, s. 16, for sub-section (*1*) (w.e.f. 30-12-1963).
3. Subs. by Act 36 of 1996, s. 2, for "Union territory of Delhi" (w.e.f. 21-12-1996).

(*ii*) in any other case, by the Authority or, as the case may be, the local authority concerned or any person authorised by the Authority or such local authority by general or special order in this behalf.]

(*2*) Where an offence has been compounded, the offender, if in custody shall be discharged and no further proceedings shall be taken against him in respect of the offence compounded.

[1][**34A. Certain offences to be cognizable.—**[2][The Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023) shall apply to an offence under sub-clause (*a*) of sub-section (*1*) of section 29] as if it were a cognizable offence,—

(*i*) for the purposes of investigation of such offence, and

(*ii*) for the purposes of all matters other than—

(*1*) matters referred to in [3][section 39 of that Sanhita], and

(*2*) arrest of a person except on the complaint of, or upon information received from:—

(*a*) such officer of the Authority not below the rank of a Director as may be appointed by the [4][Lieutenant Governor] of the [5][National capital territory of Delhi], if the offence is committed in relation to a development area;

(*b*) such officer of the Municipal Corporation of Delhi not below the rank of a Deputy Commissioner as may be appointed by the [4][Lieutenant Governor] of the [5][National capital territory of Delhi], if the offence is committed in relation to any area within the local limits of that Corporation; or

(*c*) the Secretary, New Delhi Municipal Committee, if the offence is committed in relation to any area within the local limits of that Committee:

Provided that no offence which relates to any deviation from the permission, approval or sanction given under section 12 and which could be compounded under the provisions of this Act, shall be cognizable.]

[6][**35. Default powers of the Authority.—**(*1*) If the Authority, after holding a local enquiry or upon report from any of its officers or other information in its possession, is satisfied that any amenity in relation to any land in a development area has not been provided in relation to that land which in the opinion of the Authority is to be provided, or that any development of the land for which permission, approval or sanction has been obtained under this Act has not been carried out, it may, after affording a reasonable opportunity to show cause, serve upon the owner of the land or upon the person providing or responsible for providing the amenity a notice requiring him to provide the amenity or carry out the development within such time as may be specified in the notice.

(*2*) If any amenity is not provided or any such development is not carried out within the time specified in the notice, then the Authority may itself provide the amenity or carry out the development or have it provided or carried out through such agency as it deems fit:

Provided that before taking any action under this sub-section, the Authority shall afford reasonable opportunity to the owner of the land or to the person providing or responsible for providing the amenity to show cause as to why such action should not be taken.

(*3*) All expenses incurred by the Authority or the agency employed by it in providing the amenity or carrying out the development together with interest at such rate as the Central Government may by order fix from the date when a demand for the expenses is made until payment may be recovered by the Authority from the owner or the person providing or responsible for providing the amenity as arrears of land revenue.]

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1. Ins. by Act 38 of 1984, s. 7 (w.e.f. 24-2-1986).
2. Subs. by Act 8 of 2026, s. 2 and Sch., for "The Code of Criminal Procedure, 1973 (2 of 1974), shall apply to an offence under sub-section (*1*) of section 29" (w.e.f. 1-8-2026).
3. Subs. by s. 2 and Sch., *ibid*., for "section 21 of the Indian Penal Code (45 of 1860)" (w.e.f. 1-8-2026).
4. Subs. by Act 36 of 1996, s. 2, for "Administrator" (w.e.f. 21-12-1996).
5. Subs. by s. 2, ibid., for "Union territory of Delhi" (w.e.f. 21-12-1996).
6. Subs. by Act 56 of 1963, s. 17, for section 35 (w.e.f. 30-12-1963).

36. Power of Authority to require local authority to assume responsibility for amenities in certain cases.—Where any area has been developed by the Authority, the Authority may require the local authority within whose local limits the area so developed is situated, to assume responsibility for the maintenance of the amenities which have been provided in the area by the Authority and for the provision of the amenities which have not been provided by the Authority but which in its opinion should be provided in the area, on terms and conditions agreed upon between the Authority and that local authority; and where such terms and conditions cannot be agreed upon, on terms and conditions settled by the Central Government in consultation with the local authority on a reference of the matter to that Government by the Authority.

[1][**37. Power of Authority to levy betterment charges.—**(*1*) Where, in the opinion of the Authority, as a consequence of any development having been executed by the Authority in any development area, the value of any property in that area or in any area other than the development area, which has been benefited by the development, has increased or will increase, the Authority shall be entitled to levy upon the owner of the property or any person having an interest therein a betterment charge in respect of the increase in value of the property resulting from the execution of the development:

Provided that no betterment charge shall be levied in respect of lands owned by Government within Delhi:

Provided further that where any land belonging to Government has been let out by Government to any person, then that land and any building situate thereon shall be subject to a betterment charge under this section.

(*2*) Such betterment charge shall be an amount—

(*i*) in respect of any property situate in a development area, equal to one-third of the amount, and

(*ii*) in respect of property situate in any other area, not exceeding one-third of the amount,

by which the value of the property on the completion of the execution of the development scheme estimated as if the property were clear of buildings exceeds the value of the property prior to such execution estimated in like manner:

Provided that in levying betterment charge on any property under clause (*ii*), the Authority shall have regard to the extent and nature of benefit accruing to the property from the development and such other factors as may be prescribed by rules made in this behalf.]

38. Assessment of betterment charge by Authority.—(*1*) When it appears to the Authority that any particular development scheme is sufficiently advanced to enable the amount of the betterment charge to be determined, the Authority may, by an order made in this behalf, declare that for the purpose of determining the betterment charge the execution of the scheme shall be deemed to have been completed and shall thereupon give notice in writing to the owner of the property or any person having an interest therein that the Authority proposes to assess the amount of the betterment charge in respect of the property under section 37.

(*2*) The Authority shall then assess the amount of betterment charge payable by the person concerned after giving such person an opportunity to be heard and such person shall, within three months from the date of receipt of the notice in writing of such assessment from the Authority, inform the Authority by a declaration in writing that he accepts the assessment or dissents from it.

(*3*) When the assessment proposed by the Authority is accepted by the person concerned within the period specified in sub-section (*2*) such assessment shall be final.

(*4*) If the person concerned dissents from the assessment or fails to give the Authority the information required by sub-section (*2*) within the period specified therein the matter shall be determined by arbitrators in the manner provided in section 39.

39. Settlement of betterment charge by arbitrators.—(*1*) For the determination of the matter referred to in sub-section (*4*) of section 38, the Central Government shall appoint three arbitrators of whom one at least shall have special knowledge of the valuation of land.

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1. Subs. by Act 56 of 1963, s. 18, for section 37 (w.e.f. 30-12-1963).

(*2*) The arbitrators shall follow such procedure as may be prescribed by rules made in this behalf.

[1][(*2A*) The arbitrators shall, for the purpose of determining any matter referred to them, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit, in respect of the following matters, namely:—

(*a*) summoning and enforcing the attendance of any person and examining him on oath;

(*b*) requiring the discovery and production of documents;

(*c*) administering to any party to the arbitration such interrogatories as may, in the opinion of the arbitrators, be necessary.]

(*3*) In the event of any difference of opinion among the arbitrators the decision of the majority shall prevail and that decision shall be the award of the arbitrators.

(*4*) If any arbitrator dies, resigns, or is removed under sub-section (*5*) or refuses, or neglects in the opinion of the Central Government, to perform his duties or becomes incapable of performing the same, then the Central Government shall forthwith appoint another fit person to take the place of such arbitrator.

(*5*) If the Central Government is satisfied after such inquiry as it thinks fit—

(*a*) that an arbitrator has misconducted himself, the Central Government may remove him from his office;

(*b*) that the award of the arbitrators has been improperly procured or that any arbitrator has misconducted himself in connection with such award, the Central Government may set aside the award.

(*6*) An Award which has not been set aside by the Central Government under clause (*b*) of sub-section (*5*) shall be final and shall not be questioned in any court.

(*7*) The provisions of the Arbitration Act, 1940 (10 of 1940), shall not apply to arbitration under this section.

40. Payment of betterment charge.—(*1*) The betterment charge levied under this Act shall be payable in such number of instalments and each instalment shall be payable at such time and in such manner as may be fixed by regulations made in this behalf.

(*2*) Any arrear of betterment charge shall be recoverable as an arrear of land revenue.

[2][**40A. Mode of recovery of moneys due to Authority.**—Any money due to the Authority on account of fees or charges, or from the disposal of lands, buildings or other properties, movable or immovable, or by way of rents and profits may, if the recovery thereof is not expressly provided for in any other provision of this Act, be recovered by the Authority as arrears of land revenue.]

41. Control by Central Government.—(*1*) The Authority shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act.

(*2*) If in, or in connection with, the exercise of its powers and discharge of its functions by the Authority under this Act, any dispute arises between the Authority and the Central Government the decision of the Central Government on such dispute shall be final.

[3][(*3*) The Central Government may, at any time, either on its own motion or on application made to it in this behalf, call for the records of any case disposed of or order passed by the Authority for the purpose of satisfying itself as to the legality or propriety of any order passed or direction issued and may pass such order or issue such direction in relation thereto as it may think fit:

Provided that the Central Government shall not pass an order prejudicial to any person without affording such person a reasonable opportunity of being heard.]

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1. Ins. by Act 56 of 1963, s. 19 (w.e.f. 30-12-1963).
2. Ins. by s. 20, *ibid*. (w.e.f. 30-12-1963).
3. Ins. by s. 21, *ibid.* (w.e.f. 30-12-1963).

[1][**42. Returns and inspection.**—(*1*) The Authority shall furnish to the Central Government such reports, returns and other information as that Government may from time to time require.

(*2*) Without prejudice to the provisions of sub-section (*1*), the Central Government or any officer authorised by the Central Government in this behalf, may call for reports, returns and other information from the Authority or local authority in regard to the implementation of the master plan.

(*3*) Any person authorised by the Central Government or the officer referred to in sub-section (*2*) may enter into or upon any land with or without assistants or workmen for ascertaining whether the provisions of the master plan are being or have been implemented, or whether the development is being or has been carried out in accordance with such plan.

(*4*) No such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or if there be no occupier, to the owner of the land or building.]

43. Service of notices, etc.—(*1*) All notices, orders and other documents required by this Act or any rule or regulation made thereunder to be served upon any person shall, save as otherwise provided in this Act or such rule or regulation, be deemed to be duly served—

(*a*) where the person to be served is a company if the document is addressed to the secretary of the company at its registered office or at its principal office or place of business and is either—

(*i*) sent by registered post, or

(*ii*) delivered at the registered office or at the principal office or place of business of the company;

(*b*) where the person to be served is a partnership, if the document is addressed to the partnership at its principal place of business, identifying it by the name or style under which its business is carried on, and is either—

(*i*) sent by registered post, or

(*ii*) delivered at the said place of business;

(*c*) where the person to be served is a public body or a corporation or society or other body, if the document is addressed to the secretary, treasurer or other head officer of that body, corporation or society at its principal office, and is either—

(*i*) sent by registered post, or

(*ii*) delivered at that office;

(*d*) in any other case, if the document is addressed to the person to be served and—

(*i*) is given or tendered to him, or

(*ii*) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business, if within the [2][National captial territory of Delhi] or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building to which it relates, or

(*iii*) is sent by registered post to that person.

(*2*) Any document which is required or authorised to be served on the owner or occupier of any land or building may be addressed "the owner" or "the occupier", as the case may be, of that land or building (naming that land or building) without further name or description, and shall be deemed to be duly served—

(*a*) if the document so addressed is sent or delivered in accordance with clause (*d*) of sub-section (*1*); or

1. Subs. by Act 56 of 1963, s. 22, for section 42 (w.e.f. 30-12-1963).
2. Subs. by Act 36 of 1996, s. 2, for "Union territory of Delhi" (w.e.f. 21-12-1996).

(*b*) if the document so addressed or a copy thereof so addressed, is delivered to some person on the land or building or, where there is no person on the land or building to whom it can be delivered, is affixed to some conspicuous part of the land or building.

(*3*) Where a document is served on a partnership in accordance with this section, the document shall be deemed to be served on each partner.

(*4*) For the purpose of enabling any document to be served on the owner of any property the secretary to the Authority may by notice in writing require the occupier (if any) of the property to state the name and address of the owner thereof.

(*5*) Where the person on whom a document is to be served is a minor, the service upon his guardian or any adult member of his family shall be deemed to be service upon the minor.

(*6*) A servant is not a member of the family within the meaning of this section.

44. Public notice how to be made known.—Every public notice given under this Act shall be in writing over the signature of the secretary to the Authority and shall be widely made known in the locality to be affected thereby by affixing copies thereof in conspicuous public places within the said locality, or by publishing the same by beat of drum or by advertisement in local newspaper or by any two or more of these means, and by any other means that the secretary may think fit.

45. Notices, etc., to fix reasonable time.—Where any notice, order or other document issued or made under this Act or any rule or regulation made thereunder requires anything to be done for the doing of which no time is fixed in this Act or the rule or regulation, the notice, order or other document shall specify a reasonable time for doing the same.

46. Authentication of orders and documents of the Authority.—All permissions, orders, decisions, notices and other documents of the Authority shall be authenticated by the signature of the secretary to the Authority or any other officer authorised by the Authority in this behalf.

47. Members and officers to be public servants.—Every member and every officer and other employee of the Authority shall be deemed to be a public servant within the meaning of [1][clause (*28*) of section 2 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023)].

48. Jurisdiction of courts.—No court inferior to that of a [2][Metropolitan Magistrate] shall try an offence punishable under this Act.

49. Sanction of prosecution.—[3][(*1*)] No prosecution for any offence punishable under this Act [4]*** shall be instituted except with the previous sanction of the Authority or as the case may be, the local authority concerned or any officer authorised by the Authority or such local authority in this behalf.

[5]* * * * *

50. Magistrate's power to impose enhanced penalties.—Notwithstanding anything contained in [6][section 29 of the Code of Criminal Procedure, 1973 (2 of 1974), it shall be lawful for any court of a Metropolitan Magistrate] to pass any sentence authorised by this Act in excess of its powers under the said section.

51. Protection of action taken in good faith.—No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act or any rule or regulation made thereunder.

1. Subs. by Act 8 of 2026, s. 2 and Sch., for "section 21 of the Indian Penal Code (45 of 1860)"
2. Subs. by Act 38 of 1984, s. 8, for "magistrate of the first class" (w.e.f. 12-3-1985).
3. S. 49 renumbered as sub-section (*1*) of that section by Act 56 of 1963, s. 23 (w.e.f. 30-12-1963).
4. The words "other than an offence referred to in sub-section (*2*)" omitted by Act 8 of 2026, s. 2 and Sch. (w.e.f. 1-8-2026).
5. Sub-section (*2*) omitted by s. 2 and Sch., *ibid*. (w.e.f. 1-8-2026).
6. Subs. by Act 38 of 1984, s. 9, for certain words and figures (w.e.f. 12-3-1985).

52. Power to delegate.—[1][(*1*)] The Authority may, by notification in the Official Gazette, direct that any power exercisable by it under this Act except the power to make regulations may also be exercised by such officer or local authority [2][or committee constituted under section 5A] as may be mentioned therein, in such cases and subject to such conditions, if any, as may be specified therein.

[2][(*2*) The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act, except the power to make rules, may also be exercised by such officer as may be mentioned therein, in such cases and subject to such conditions, if any, as may be specified therein.

(*3*) The [3][Lieutenant Governor] of the [4][National capital territory of Delhi] may, by notification in the Official Gazette, direct that any power exercisable by him under this Act [5][, except the power to hear appeals,] may also be exercised by such officer as may be mentioned therein, in such cases and subject to such conditions, if any, as may be specified therein.]

53. Effect of other laws.—(*1*) Nothing in this Act shall affect the operation of the Slum Areas (Improvement and Clearance) Act, 1956 (6 of 1956).

(*2*) [6][Save as otherwise provided in sub-section (*4*) of section 30 or sub-section (*8*) of section 31 or sub-section (*1*) of this section], the provisions of this Act and the rules and regulations made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law.

(*3*) Notwithstanding anything contained in any such other law—

(*a*) when permission for development in respect of any land has been obtained under this Act such development shall not be deemed to be unlawfully undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development has not been obtained;

(*b*) when permission for such development has not been obtained under this Act, such development shall not be deemed to be lawfully undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development has been obtained.

[7][**53A. Restriction on power of a local authority to make rules, regulations or bye-laws in respect of certain matters.—**(*1*) Notwithstanding anything contained in any law for the time being in force, no rule, regulation or bye-law shall be made or amended by a local authority in respect of matters specified in sub-section (*2*) unless the Authority, upon consideration of such rule, regulation or bye-law, certifies that it does not contravene any of the provisions of the master plan or the zonal development plan.

(*2*) The matters referred to in sub-section (*1*) are the following, namely:—

(*a*) water supply, drainage and sewage disposal;

(*b*) erection and re-erection of buildings, including grant of building permissions, licences and imposition of restrictions on use and sub-division of buildings;

(*c*) sub-division of land into building sites, roads and lanes, recreational sites and sites for community facilities; and

(*d*) development of land, improvement schemes, and housing and rehousing schemes.

53B. Notice to be given of suits.—(*1*) No suit shall be instituted against the Authority, or any member thereof, or any of its officers or other employees, or any person acting under the directions of the

1. S. 52 renumbered as sub-section (*1*) of that section by Act 56 of 1963, s. 23 (w.e.f. 30-12-1963).
2. Ins. by s. 24, *ibid.* (w.e.f. 30-12-1963).
3. Subs. by Act 36 of 1996, s. 2, for "Administrator" (w.e.f. 21-12-1996).
4. Subs. s. 2, *ibid*., for "Union territory of Delhi" (w.e.f. 21-12-1996).
5. Ins. by Act 38 of 1984, s. 10 (w.e.f. 24-2-1986).
6. Subs. by Act 56 of 1963, s. 25, for "Save as aforesaid" (w.e.f. 30-12-1963).
7. Ins. by Act 56 of 1963, s. 26 (w.e.f. 30-12-1963).

Authority or any member or any officer or other employee of the Authority in respect of any act done or purporting to have been done in pursuance of this Act or any rule or regulation made thereunder until the expiration of two months after notice in writing has been, in the case of the Authority, left at its office, and in any other case, delivered to, or left at the office or place of abode of, the person to be sued and unless such notice states explicitly the cause of action, the nature of relief sought, the amount of compensation claimed and the name and place of residence of the intending plaintiff and unless the plaint contains a statement that such notice has been so left or delivered.

(*2*) No suit such as is described in sub-section (*1*) shall, unless it is a suit for recovery of immovable property or for a declaration of title thereto, be instituted after the expiry of six months from the date on which the cause of action arises.

(*3*) Nothing contained in sub-section (*1*) shall be deemed to apply to a suit in which the only relief claimed is an injunction of which the object would be defeated by the giving of the notice or the postponement of the institution of the suit.]

54. Savings.—Nothing in this Act shall apply to—

(*a*) the carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building;

(*b*) the carrying out by any local authority or by any department of Government of any works for the purpose of inspecting, repairing or renewing any drains, sewers, mains, pipes, cables or other apparatus including the breaking open of any street or other land for that purpose;

(*c*) the erection of a building, not being a dwelling house if such building is required for the purposes subservient to agriculture;

(*d*) the erection of a place of worship or a tomb or cenotaph or of a wall enclosing a graveyard, place of worship, cenotaph or *samadhi* on land which at the commencement of this Act is occupied by or for the purpose of such worship, tomb, cenotaph, graveyard or *samadhi*;

(*e*) the excavations (including wells) made in the ordinary course of agricultural operations; and

(*f*) the construction of unmetalled road intended to give access to land solely for agricultural purposes.

55. Plans to stand modified in certain cases.—(*1*) Where any land situated in any area in Delhi is required by the master plan or a zonal development plan to be kept as an open space or unbuilt upon or is designated in any such plan as subject to compulsory acquisition, then, if at the expiration of ten years from the date of operation of the plan under section 11 or where such land has been so required or designated by any amendment of such plan, from the date of operation of such amendment, the land is not compulsorily acquired [1]***, the owner of the land may [2][serve on the Central Government a notice] requiring his interest in the land to be so acquired.

(*2*) [3][If the Central Government] fails to acquire the land within a period of six months from the date of receipt of the notice, the master plan or, as the case may be, the zonal development plan shall have effect, after the expiration of the said six months as if the land were not required to be kept as an open space or unbuilt upon or were not designated as subject to compulsory acquisition.

56. Power to make rules.—(*1*) The Central Government, after consultation with the Authority, may by notification in the Official Gazette, make rules to carry out the purposes of this Act:

Provided that consultation with the Authority shall not be necessary on the first occasion of the making of rules under this section, but the Central Government shall take into consideration any suggestions which the Authority may make in relation to the amendment of such rules after they are made.

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1. Certain words omitted by Act 56 of 1963, s. 27 (w.e.f. 30-12-1963).
2. Subs. by s. 27, *ibid.,* for "serve on the authority a notice" (w.e.f. 30-12-1963).
3. Subs. by s. 27, *ibid.,* for "If the authority for the time being charged with the development of the area" (w.e.f. 30-12-1963).

(*2*) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(*a*) the manner of election of representatives of the Municipal Corporation of Delhi under clause (*e*) of sub-section (*3*) of section 3;

(*b*) the qualifications and disqualifications for being chosen as, and for being, members of the Authority or the Advisory Council;

(*c*) the salaries, allowances and conditions of service of the whole-time paid members of the Authority;

[1][(*cc*) travelling and other allowances of the members of the Advisory Council except those of the *ex officio* member and such other members as are Government servants;]

(*d*) the control and restrictions in relation to appointment of officers and other employees;

[2][(*dd*) the stages by which the development of any particular features of a zone may be carried out;]

(*e*) the form and content of the master plan and a zonal development plan and the procedure to be followed in connection with the preparation, submission and approval of such plans and the form, and the manner of publication, of the notice relating to any such plan in draft;

(*f*) the local inquiries and other hearings that may be held before a plan is approved;

[3][(*g*) the form and manner in which notice under sub-section (*3*) of section 11A shall be published;]

(*h*) the fee to be paid on an application for permission under sub-section (*1*) of section 13 and the factors and circumstances to be taken into consideration in determining such fee;

[4]* * * * *

(*j*) the manner in which nazul lands shall be dealt with after development;

[5][(*jj*) the procedure to be observed by the [6][Lieutenant Governor] under section 30 or section 31;

(*jjj*) the factors to be taken into consideration in determining the rate of betterment charge in respect of property situate in any area outside the development area;]

[7][(*ja*) the manner in which the sealing of any development under sub-section (*1*) of section 31A shall be made;

[8][(*jaa*) the manner of holding an inquiry and imposing penalties under sub-section (*1*) of section 31AA;

(*jab*) the form and manner of preferring appeal to the appellate authority against the order of adjudicating officer under sub-section (*2*) of section 31AA;]

(*jb*) the form in which an appeal shall be made to the Appellate Tribunal under sub-section (*3*) of section 31C and the fees that shall accompany such appeal;]

(*k*) the procedure for referring any matter to the Central Government under section 36 for settlement of terms and conditions subject to which a local authority may be required to assume responsibility for amenities in any area;

(*l*) the procedure to be followed by arbitrators in the determination of betterment charge;

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1. Ins. by Act 4 of 1976, s. 2 (w.e.f. 24-1-1976).
2. Ins. by Act 56 of 1963, s. 28 (w.e.f. 30-12-1963).
3. Subs. by Act 56 of 1963, s. 28, for clause (*g*) (w.e.f. 30-12-1963).
4. Cl. (*i*) omitted by s. 28, *ibid.* (w.e.f. 30-12-1963).
5. Ins. by s. 28, *ibid.* (w.e.f. 30-12-1963).
6. Subs. by Act 36 of 1996, s. 2, for "Administrator" (w.e.f. 21-12-1996).
7. Ins. by Act 38 of 1984, s. 11 (w.e.f. 24-2-1986).
8. Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 1-8-2026).

(*m*) the sum of money that may be kept in current account;

[1][(*mm*) the procedure to be followed for borrowing moneys by way of loans or debentures and their repayment;]

(*n*) the form of the budget of the Authority and the manner of preparing the same;

(*o*) the form of the balance-sheet and statement of accounts;

(*p*) the form of the annual report and the date on or before which it shall be submitted to the Central Government;

(*q*) the manner of constitution of the pension and provident funds for whole-time paid members and officers and other employees of the Authority and the conditions subject to which such funds may be constituted;

(*r*) any other matter which has to be, or may be, prescribed by rules.

57. Power to make regulations.—(*1*) [2][The Authority, with the previous approval of the Central Government, may, by notification in the Official Gazette, make regulations] consistent with this Act and the rules made thereunder, to carry out the purposes of this Act, and without prejudice to the generality of this power, such regulations may provide for—

(*a*) the summoning and holding of meetings of the Authority, the time and place where such meetings are to be held, the conduct of business at such meetings and the number of members necessary to form a quorum thereat;

[3][(*aa*) the summoning and holding of meetings of a committee constituted under section 5A, the time and place where such meetings are to be held, the conduct of business at such meetings, and the number of members necessary to form a quorum thereat and the fees and allowances payable to the members for attending the meetings or any other work of the Authority;]

(*b*) the powers and duties of the secretary and chief accounts officer of the Authority;

(*c*) the salaries, allowances and conditions of service of the secretary, chief accounts officer and other officers and employees;

(*d*) the procedure for the carrying out of the functions of the Authority under Chapter III;

(*e*) the form in which any application for permission under sub-section (*1*) of section 13 shall be made and the particulars to be furnished in such application;

(*f*) the terms and conditions subject to which user of lands and buildings in contravention of plans may be continued;

[4]* * * * *

(*h*) the manner of communicating the grounds of refusal of permission for development;

(*i*) the form of the register of applications for permission and the particulars to be contained in such register;

(*j*) the management of the properties of the Authority;

(*k*) the time and manner of payment of betterment charge; and

(*l*) any other matter which has to be, or may be, prescribed by regulations.

(*2*) Until the Authority is established under this Act, any regulation which may be made under sub-section (*1*) may be made by the Central Government; and any regulation so made may be altered or rescinded by the Authority in exercise of its powers under sub-section (*1*).

1. Ins. by Act 56 of 1963, s. 28 (w.e.f. 30-12-1963).
2. Subs. by Act 4 of 1976, s. 3, for certain words (w.e.f. 24-1-1976).
3. Ins. by Act 56 of 1963, s. 29 (w.e.f. 30-12-1963).
4. Cl. (*g*) omitted by Act 56 of 1963, s. 29 (w.e.f. 30-12-1963).

[1][**58. Laying of rules and regulations before Parliament.**—Every rule and every regulation made under this Act shall be laid, as soon as may be after such rule or regulation is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation, or both Houses agree that the rule or regulation should not be made, the rule or regulation shall, thereafter, have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.]

59. Dissolution of the Authority.—(*1*) Where the Central Government is satisfied that the purposes for which the Authority was established under this Act have been substantially achieved so as to render the continued existence of the Authority in the opinion of the Central Government unnecessary, that Government may by notification in the Official Gazette declare that the Authority shall be dissolved with effect from such date as may be specified in the notification; and the Authority shall be deemed to be dissolved accordingly.

(*2*) From the said date—

(*a*) all properties, funds and dues which are vested in, or realisable by, the Authority shall vest in, or be realisable by the Central Government;

(*b*) all nazul lands placed at the disposal of the Authority shall revert to the Central Government;

(*c*) all liabilities which are enforceable against the Authority shall be enforceable against the Central Government; and

(*d*) for the purpose of carrying out any development which has not been fully carried out by the Authority and for the purpose of realising properties, funds and dues referred to in clause (*a*), the functions of the Authority shall be discharged by the Central Government.

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60. Repeal, etc., and savings.—(*1*) As from the date of constitution of the Authority,—

(*a*) the United Provinces Town Improvement Act, 1919 (U.P. Act VIII of 1919), shall cease to have effect in the [2][National capital territory of Delhi]; and

(*b*) the Delhi (Control of Building Operations) Act, 1955 (53 of 1955), shall stand repealed.

(*2*) Notwithstanding the provisions of sub-section (*1*)—

(*a*) every officer and other employee serving under the Delhi Improvement Trust or the Delhi Development (Provisional) Authority immediately before the date of the constitution of the Authority shall, on and from such date, be transferred to and become an officer or other employee of the Authority with such designations as the Authority may determine and shall hold office by the same tenure, at the same remuneration and on the same terms and conditions of service as he would have held the same if the Authority had not been constituted, and shall continue to do so unless and until such tenure, remuneration and terms and conditions are duly altered by the Authority:

Provided that any service rendered by any such officer or other employee before the constitution of the Authority shall be deemed to be service rendered under it:

Provided further that the Authority may employ any such officer or other employee in the discharge of such functions under this Act as it may think proper and every such officer or other employee shall discharge those functions accordingly;

(*b*) anything done or any action taken (including any appointment, delegation, notification, order, scheme, permission, rule, bye-law, regulation or form made, granted or issued) under any of the aforesaid Acts, shall, so far as it is not inconsistent with the provisions of this Act, continue in force and be deemed to have been done or taken under the provisions of this Act unless and until it is superseded by anything done or any action taken under the said provisions;

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1. Subs. by Act 4 of 1976, s. 4, for section 58 (w.e.f. 24-1-1976).
2. Subs. by Act 36 of 1996, s. 2, for "Union territory of Delhi" (w.e.f. 21-12-1996).

(*c*) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the Delhi Improvement Trust or the Delhi Development (Provisional) Authority shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Authority;

(*d*) all properties movable and immovable vested in the Delhi Improvement Trust or the Delhi Development (Provisional) Authority shall vest in the Authority;

(*e*) all rents, fees and other sums of money due to the Delhi Improvement Trust or the Delhi Development (Provisional) Authority shall be deemed to be due to the Authority;

(*f*) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by, for or against the Delhi Improvement Trust or the Delhi Development (Provisional) Authority may be continued or instituted by, for or against the Authority.

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STATEMENT OF OBJECTS AND REASONS

In order to check haphazard construction and to regulate and control the building activities in Delhi, the Delhi (Control of Building Operations) Ordinance, 1955 was promulgated on the 22nd October, 1955, under which the Delhi Development (Provisional) Authority was constituted. The said Ordinance was replaced by the Delhi (Control of Building Operations) Act, 1955. Originally the enactment was to be in force up to the 31st December, 1956, but its operation has been extended up to the 31st December, 1957, by an amending Act.

The present Bill seeks to replace the Delhi Development (Provisional) Authority, and the Delhi Improvement Trust with the object of promoting and securing the development of Delhi in accordance with the master plan and zonal development plans to be prepared by the Authority and approved by the Central Government. The Authority will consist of the Administrator of Delhi as chairman, a whole-time paid vice-chairman, a whole-time paid engineer member and a whole-time paid finance member, two members of the Corporation to be elected by the Councillors of the Delhi Municipal Corporation from amongst themselves and the Commissioner of the Corporation (ex-officio).

The development activities of the Authority will be confined only to such areas as may be declared "development areas" by the Central Government in consultation with the Authority and the Delhi Municipal Corporation.

The Authority will be advised by an Advisory Council which will consist of three members to be elected by Parliament, representatives of the Delhi Municipal Corporation and persons to be nominated by the Centra1 Government to represent the interests of commerce and industry and labour, as well as persons having knowledge of town planning, architecture, public health and other technical matters.

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NEW DELHI;
The 2nd September, 1957

GOVIND BALLABH PANT