

Director (Pig.) MPR/TC,
D.D.A. Vikas Minar N. DELHI-2
Dy.No. 1763
Dated 28/12/12

MOST IMMEDIATE



Director (Pig.) MPD-282
Dy. No. 1883
Date 9-1-12

OFFICE OF THE DIR (Pig.)
MPR/TC, D.D.A. N. DELHI-2
Dy.No. 582
Dated 11/12/12

No. K-12016/2/2006-DDIB (Vol.VII)
भारत सरकार/Government of India

शहरी विकास मंत्रालय / Ministry of Urban Development

निर्माण भवन/Nirman Bhavan

नई दिल्ली/New Delhi

Dated 30th December, 2011

Commr. (Pig.) - II
Despatch I-16
Date 4-1-12

OFFICE MEMORANDUM

14
Dy. No. 1342
Date 13-1-12

Subject : The National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 to make special provision for the National Capital Territory of Delhi for a further period of three years up-to 31st December, 2014.

A copy of above Act published in the Gazette of India Extraordinary as No.20 dated 26th December, 2011 to make special provisions for the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 for a further period of three years up-to 31st December, 2014 and for matters connected therewith or incidental thereto is sent herewith for information and appropriate action.

S. Kumar
(Sunil Kumar)
Under Secretary to the Govt. of India
Tel.No.23061681

17-B
03/1/2012

To

1. Principal Secretary to Lt. Governor of Delhi, Raj Bhawan, Delhi.
2. Principal Secretary to Chief Minister of Delhi, Delhi Secretariat, New Delhi.
3. Chief Secretary to Govt. of NCT of Delhi.
4. Vice Chairman, DDA, Vikas Sadan, New Delhi.
5. Commissioner, MCD, Town Hall, Delhi.
6. Chairperson, NDMC, Palika Kendra, New Delhi.
7. L&DO, Nirman Bhawan, New Delhi.

PC(LM) ✓
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C-secy.
(Separate copies)
CLA

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4/1/12

Comm (Aug) I

Ac UE & P Coord
✓ CSO/HPWG

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10/01/12
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11/1/12

AD(PS) I MPR

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भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY
भाग II — खण्ड 1
PART II — Section 1
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 30] नई दिल्ली, सोमवार, दिसम्बर 26, 2011/ पौष 5, 1933(शक)
No. 30] NEW DELHI, MONDAY, DECEMBER 26, 2011/PAUSHA 5, 1933 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE
(LEGISLATIVE DEPARTMENT)

New Delhi, the 26th December, 2011/Pausha 5, 1933 (Saka)

The following Act of Parliament received the assent of the President on the 23rd December, 2011, and is hereby published for general information:—

THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS (SPECIAL PROVISIONS) SECOND ACT, 2011

No. 20 of 2011

[23rd December, 2011.]

An Act to make special provisions for the National Capital Territory of Delhi for a further period up to the 31st day of December, 2014 and for matters connected therewith or incidental thereto.

WHEREAS there has been phenomenal increase in the population of the National Capital Territory of Delhi owing to migration and other factors resulting in tremendous pressure on land and infrastructure leading to encroachment or unauthorised developments which are not in consonance with the concept of planned development as provided in the Master Plan for Delhi, 2001 and the relevant Acts and building bye-laws made thereunder;

AND WHEREAS the Master Plan for Delhi, 2001 was extensively modified and notified by the Central Government on the 7th day of February, 2007 with the perspective for the year 2021 keeping in view the emerging new dimensions in urban development vis-a-vis the social, financial and other ground realities;

AND WHEREAS the Master Plan for Delhi with the perspective for the year 2021 specifically provides for strategies for housing for urban poor as well as to deal with the informal sector;

AND WHEREAS with respect to special areas (being the areas consisting of walled city, walled city extension and area known as Karol Bagh and as such other areas as may be designated as special area) referred to in clause (vi) of regulation 2 of the Building Regulations for Special Area, Unauthorised Regularised Colonies and Village *Abadis*, 2010 notified in the Gazette of India *vide* S.O. 97(E), dated the 17th January, 2011, is being taken for formulation of redevelopment plan and schemes by concerned local authority which is likely to take considerable time;

AND WHEREAS rule 12 of the Delhi Development (Master Plan and Zonal Development Plan) Rules, 1959 provides for amendment of whole or any part of the Master Plan, if necessary, at the expiry of every five years and accordingly in pursuance of the aforesaid rule 12, the process of quinquennial revision of the provisions of the Master Plan notified on the 7th February, 2007, is being undertaken for such modifications and updating that have emerged based on ground realities which is likely to take some time for finalisation;

AND WHEREAS in view of the foregoing paragraphs, it is expedient and in public interest that no hardship be caused (whether by way of sealing or demolition of the structures or otherwise), to the public until the revision of Master Plan as stated in the preceding paragraph is undertaken to facilitate the smooth review of the Master Plan;

43 of 2007. AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Act, 2007 was enacted on the 5th day of December, 2007 to make special provisions for the areas of National Capital Territory of Delhi for a period up to the 31st day of December, 2008 which ceased to operate after the 31st December, 2008;

24 of 2009. AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Act, 2009 was enacted in continuation of the aforesaid Act for a period up to the 31st day of December, 2009 to make special provisions for the areas of the National Capital Territory of Delhi and that Act ceased to operate after the 31st day of December, 2009;

40 of 2009. AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2009 was enacted in continuation of the aforesaid Act for a period up to the 31st day of December, 2010 to make special provisions for the areas of National Capital Territory of Delhi and that Act ceased to operate after the 31st day of December, 2010;

5 of 2011. AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Act, 2011 has been enacted to give continued effect to provisions of the enactment specified in the preceding paragraph for a period up to the 31st day of December, 2011 and to make special provisions for the areas of the National Capital Territory of Delhi and that Act, shall cease to operate after the 31st day of December, 2011;

AND WHEREAS it is expedient to have a law in terms of the Master Plan for Delhi, 2021, in continuation of the said Acts for a period up to the 31st day of December, 2014 to provide for relief and to minimise avoidable hardships and irreparable loss to the people of the National Capital Territory of Delhi against any punitive action by any agency in respect of the persons covered by the policies referred to above.

BE it enacted by Parliament in the Sixty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011.

(2) It extends to the National Capital Territory of Delhi.

(3) It shall come into force on the 1st day of January, 2012.

(4) It shall cease to have effect on the 31st day of December, 2014, except as respects things done or omitted to be done before such cesser, and upon such cesser section 6 of the General Clauses Act, 1897, shall apply as if this Act had then been repealed by a Central Act.

Short title, extent, commencement and duration.

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c.1]

form of encroachment by slum dwellers and *Jhuggi-Jhopri* clusters, hawkers and urban street vendors, unauthorised colonies, village *abadi* area (including urban villages), and their extensions, existing farm houses involving construction beyond permissible building limits and schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land, as mentioned below:—

(a) orderly arrangements for relocation and rehabilitation of slum dwellers and *Jhuggi-Jhopri* clusters in Delhi in accordance with the provisions of the Delhi Urban Shelter Improvement Board Act, 2010 and the Master Plan for Delhi, 2021 to ensure its development in a sustainable, planned and humane manner;

(b) scheme and orderly arrangements for regulation of urban street vendors in consonance with the national policy for urban street vendors and hawkers as provided in the Master Plan for Delhi, 2021;

(c) orderly arrangements pursuant to guidelines and regulations for regularisation of unauthorised colonies, village *abadi* area (including urban villages) and their extensions, as existed on the 31st day of March, 2002, and where construction took place even beyond that date and up to the 8th day of February, 2007;

(d) policy regarding existing farm houses involving construction beyond permissible building limits;

(e) policy or plan for orderly arrangement regarding schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land and guidelines for redevelopment of existing godown clusters (including those for a storage of non-agricultural goods) required to cater to the needs of the people of the National Capital Territory of Delhi;

(f) orderly arrangements in respect of special areas in accordance with the Building Regulations for Special Area, Unauthorised Regularised Colonies and Village *Abadis*, 2010 within overall ambit of Master Plan in force; and

(g) policy or plan for orderly arrangements in all other areas of the National Capital Territory of Delhi in consonance with the Master Plan on its review.

(2) Subject to the provisions contained in sub-section (1) and notwithstanding any judgment, decree or order of any court, *status quo*—

(i) as on the 1st day of January, 2006 in respect of encroachment or unauthorised development;

(ii) in respect of unauthorised colonies, village *abadi* area (including urban villages) and their extensions, which existed on the 31st day of March, 2002 and where construction took place even beyond that date and up to the 8th day of February, 2007, mentioned in sub-section (1);

(iii) in respect of special areas as per the Building Regulations for Special Area, Unauthorised Regularised Colonies and Village *Abadis*, 2010; and

(iv) in respect of all other areas within the National Capital Territory of Delhi as on the 8th day of February, 2007,

shall be maintained.

Explanation.— For the purposes of this sub-section, it is hereby clarified that any development approved by the competent authority or the local authority under the relevant laws and the rules or regulations made thereunder, including repairs permissible under the building bye-laws in force, shall continue to remain permitted.

Delhi Act 7 of 2010.