

Bill No. 187 of 2014

**THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS
(SPECIAL PROVISIONS) AMENDMENT BILL, 2014**

A

BILL

to amend the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011.

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

1. This Act may be called the National Capital Territory of Delhi Laws (Special Provisions) Amendment Act, 2014.

Short title.

20 of 2011. 5 **2.** In the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 (hereinafter referred to as the principal Act), in the long title, for the words, figures and letters “for a further period up to the 31st December, 2014”, the words, figures and letters “for a further period up to the 31st day of December, 2017” shall be substituted.

Amendment of long title.

10 **3.** In the principal Act, in the last paragraph of the Preamble, for the words, figures and letters “for a period up to the 31st December, 2014”, the words, figures and letters “for a period up to the 31st day of December, 2017” shall be substituted.

Amendment of Preamble.

Amendment
of section 1.

4. In the principal Act, in section 1, in sub-section (4), in the opening portion, for the words, figures and letters “It shall cease to have effect on the 31st day of December, 2014”, the words, figures and letters “It shall cease to have effect on the 31st day of December, 2017” shall be substituted.

Amendment
of section 3.

5. In the principal Act, in section 3, —

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(a) in sub-section (3), for the words, figures and letters “till the 31st day of December, 2014”, the words, figures and letters “till the 31st day of December, 2017” shall be substituted;

(b) in sub-section (4), for the words, figures and letters “at any time before the 31st day of December, 2014”, the words, figures and letters “at any time before the 31st day of December, 2017” shall be substituted.

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STATEMENT OF OBJECTS AND REASONS

The phenomenal growth of Delhi had its inevitable implications and impact in terms of shelter, including squatter settlements, and other infrastructure facilities. This has led to problems of encroachment on public land, growth of slums, unauthorised constructions, large scale commercialisation of residential areas and inadequacy of housing.

2. Further when Master Plan for Delhi-2021(MPD-2021) was being prepared, in order to protect certain forms of unauthorised developments from punitive action, the Delhi Laws (Special Provisions) Act, 2006 was enacted on 19th May, 2006 which was effective for a period of one year. This was followed by similar Acts which were also effective for one year each. However, the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 was effective for a period of three years and is expiring on the 31st December, 2014.

3. As per the provisions of the said Act of 2011, orderly arrangements had to be made for relocation or rehabilitation of slum dwellers and *Jhuggi-Jhompri* clusters; regulation of street vendors; regularisation of unauthorised colonies, village *abadi* areas and their extensions and existing farm houses; regularisation of schools, dispensaries, religious and cultural institutions, storages, warehouses and godowns built on agricultural land; redevelopment of existing godown clusters and building regulations for Special Areas.

4. While progress has been made in evolving the policies, norms and strategies towards implementation of the Act, more time is needed to bring in orderly arrangements keeping in view the current ground realities in the National Capital Territory of Delhi. Further the norms, policies and guidelines for unauthorised developments, including complexities in regularising unauthorised colonies, may also need to be appropriately modified to bring them in conformity with revised MPD-2021. The review of MPD-2021 is likely to be completed in early 2015.

5. The objective of the extension of time is not only to protect certain forms of unauthorised developments from punitive action in the National Capital Territory of Delhi but also to provide for opportunity to the Government agencies to finalise the norms, policy guidelines and feasible strategies as well as the orderly implementation of the plan in this regard.

6. In view of above, it is necessary to extend the provisions of the National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2011 (20 of 2011) for a period of three years from 1st January, 2015 to 31st December, 2017.

M. VENKAIAH NAIDU

NEW DELHI;

The 12th December, 2014.

ANNEXURE

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

(20 OF 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.

* * * * *

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.

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Short title,
extent,
commencement
and duration.

1. (1)* * * * * *

(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.

10 of 1897.

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Enforcement
to be kept in
abeyance.

3. (1)* * * * * *

(3) All notices issued by any local authority for initiating action against encroachment or unauthorised development in respect of areas referred to in sub-section (1), shall be deemed to have been suspended and no punitive action shall be taken till the 31st day of December, 2014, if—

(a) it is constructed prior to the dates specified for different areas as enumerated in sub-section (2);

(b) it conforms to the safety standards as in force or such other safety requirements as may be notified by the Central Government; and

(c) it complies with the directions with respect to safety, if any, issued by the Central Government:

Provided that in case punitive action is required to be taken by any local authority, prior approval of the Administrator of the National Capital Territory of Delhi or the officer authorised by him in this behalf, shall be obtained by the authority or officer concerned.

(4) Notwithstanding any other provision contained in this Act, the Central Government may, at any time before the 31st day of December, 2014, withdraw the exemption by notification in respect of encroachment or unauthorised development mentioned in sub-section (2) or sub-section (3), as the case may be.

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LOK SABHA

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BILL

to amend the National Capital Territory of Delhi Laws (Special Provisions)
Second Act, 2011.

(Shri M. Venkaiah Naidu, Minister of Urban Development)

LOK SABHA

CORRIGENDA

to

**THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS
(SPECIAL PROVISIONS) AMENDMENT BILL, 2014**

[To be/As introduced in Lok Sabha]

1. In the title of the Bill,-

for “THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS
(SPECIAL PROVISIONS) AMENDMENT BILL, 2014”

read “THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS
(SPECIAL PROVISIONS) SECOND (AMENDMENT) BILL, 2014”.

2. Page 1, line 3,-

for “Amendment Act, 2014”

read “Second (Amendment) Act, 2014 ”.

3. Page 1, line 6,-

for “31st December, 2014”

read “31st day of December, 2014”

4. Page 1, line 9,-

for “31st December, 2014”

read “31st day of December, 2014”

NEW DELHI;

December 15, 2014
Agrahayana 24, 1936 (Saka)