

U 5-182
18/12/2023.

**MOST IMMEDIATE
ASSEMBLY QUESTION**

**GOVERNMENT OF N.C.T. OF DELHI
REVENUE DEPARTMENT: PARLIAMENT CELL
5, SHAM NATH MARG, DELHI-110054**

No. F.11/2070/DC/PC/VS/2023 / 2934

Dated: 16/12/2023

To

The Dy. Secretary (Question Cell)
Delhi Legislative Secretariat,
Old Secretariat Delhi-110054

**Sub: Reply to Vidhan Sabha Unstarred Question No. 182 fixed for 18.12.2023 raised by
Hon'ble MLA Sh. Jitendra Mahajan Ji.**

Sir,

Please find enclosed herewith the 100 copies of the reply in respect of above said question for further necessary action at you end.

This issues with the prior approval of Competent Authority.

Yours faithfully

Encl.: As above.


**(MANVINDER SINGH)
SUB DIVISIONAL MAGISTRATE-IV (HQ)**

MANVINDER SINGH
Sub Divisional Magistrate (HQ)
Govt. of NCT of Delhi
5, Sham Nath Marg, Delhi-54

राष्ट्रीय राजधानी क्षेत्र, दिल्ली सरकार
कार्यालय-मण्डलायुक्त
राजस्व विभाग : संसदीय प्रकोष्ठ,
5, शाम नाथ मार्ग, दिल्ली।

अतारांकित प्रश्न संख्या : 182

दिनांक 18.12.2023

राजस्व विभाग

प्रश्नकर्ता का नाम : माननीय विधायक श्री जितेन्द्र महाजन जी

क्या माननीय राजस्व मंत्री यह बताने की कृपा करेंगे कि :

क्र. सं.	प्रश्न	उत्तर
क)	अवैध निर्माण के कारण दिल्ली नगर निगम द्वारा बुक की गयी संपत्तियों की रजिस्ट्री (पंजीकरण) करने का क्या प्रावधान है;	इस सम्बन्ध में, दिल्ली सरकार द्वारा आदेश संख्या F.36/07/Cordn. /Div.Com./06/464-90, दिनांक 09 मई, 2006 व आदेश संख्या F.36/07/coordn /Div.Comm/07/613 to 620 दिनांक 13 अप्रैल, 2015 में प्रावधान किये गये हैं। (प्रतिलिपियाँ अनुलग्नक 'अ' तथा अनुलग्नक 'ब' संलग्न हैं।)
ख)	अवैध निर्माण के कारण बुक की गयी संपत्तियों की रजिस्ट्री करने के आरोप में दोषी पाये गये अधिकारियों के खिलाफ पिछले 4 वर्षों में क्या कार्यवाही की गयी है, विस्तृत जानकारी उपलब्ध करवाई जाए;	उपरोक्त के सन्दर्भ में लागू नहीं।
ग)	भविष्य में बुक की गयी संपत्तियों की रजिस्ट्री (पंजीकरण) न हो, इसके लिए सरकार द्वारा क्या ठोस कदम उठाये गये हैं;	उपरोक्त उत्तर 'क' के अनुसार।
घ)	बुक की गयी संपत्ति पर बैंकों (सरकारी/प्राइवेट) द्वारा ऋण दिया जा सकता है अथवा नहीं;	राजस्व विभाग, राष्ट्रीय राजधानी क्षेत्र, दिल्ली से सम्बन्धित नहीं है।
ङ)	यदि विक्रेता, दिल्ली नगर निगम तथा सब रजिस्ट्रार कार्यालय की मिलीभगत से कोई बुक की गयी संपत्ति किसी नागरिक को बेच दी जाती है तो क्या सरकार द्वारा क्रेता को कोई मुआवजा देने और क्रेता द्वारा अपनी रजिस्ट्री निरस्त करवाने पर सरकार द्वारा ली गयी फीस वापिस करने का कोई प्रावधान है; और	ऐसा कोई प्रावधान नहीं है।
च)	शाहदरा जिला की पिछले 5 वर्षों की ऐसी संपत्तियों की सूची प्रदान की जाये जिनका निर्माण अवैध होने के बाद भी पंजीकरण किया गया?	ऐसी कोई सूची उपलब्ध नहीं है।

इसकी स्वीकृति माननीय मंत्री (राजस्व) से प्राप्त कर ली गई है।

(मनविंदर सिंह)
उप मण्डलीय दण्डाधिकारी-4 (मुख्यालय)
Sub Divisional Magistrate (Hq)
Govt. of NCT of Delhi
5, Sham Nath Marg, Delhi-54

अनुमति - अ

**GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE DIVISIONAL COMMISSIONER : DELHI
5 SHAM NATH MARG : DELHI-54**

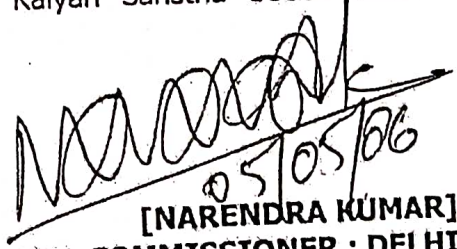
No. F.36(07)/Cordn./Div.Com./06/464-90

Dated : 9th May, 2006

ORDER

The Municipal Corporation of Delhi (MCD) has been directed by Hon'ble Delhi High Court to place all the properties, which are unauthorized on the website with specific details as to whether the building is unauthorized on account of extra coverage or on account of extra floor or on account of construction on government land or on account of no sanction plan with details of building whether it is first floor, second floor, or third floor or whatever floors are authorized and what are not authorized so as to remove the ambiguity. All such specifically unauthorized properties or part thereof, appearing in the said list of MCD, will be registered after the full stamp duty chargeable under article 23 of schedule 1-A of Indian Stamp Act 1899 is paid. However, while registering a document in respect of a property enlisted unauthorized by MCD Sub Registrars (SRs) will ensure that a rubber stamp is impressed upon the first and last page of the document revealing that the property is unauthorized as per the list displayed by MCD. Such rubber stamp is being made available to all the SRs, separately. It is to be ensured by all the SR(s)/Registrars that before registering a document, the property mentioned therein is exhaustively checked in the website of MCD and no such property which appears in the list is registered without impressing the said stamp, under the signature of the concerned SR. In case access to the website is not available to a SR, an updated hard copy of the said list may be obtained and referred for this purpose by the concerned SR.

This order is issued subsequent to the order passed by Delhi High Court on 23.03.2006 in the CWC No. 4582/03 in case of Kalyan Sanstha Social Welfare Organization & others Vs. Union of India and others.

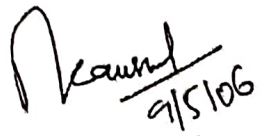

05/05/06
[NARENDRA KUMAR]
CCRA/DIVISIONAL COMMISSIONER : DELHI

Dated : 9th May, 2006

No. F.36(07)/Cordn./Div.Com./06/464-90

Copy to :-

1. All the Dy. Commissioners (Revenue) of 9 districts.
2. All the Sub Registrars.
3. ADM I-II (HQ.)
4. SDM I-II-III (HQ.)
5. PA to the Divisional Commissioner.


9/5/06
(AK KAUSHAL)
ADM-II (HQ.)

अनुसूच-ब

MCD Booked

OFFICE OF THE SECRETARY (REV.) - CUM - DIVISIONAL COMMISSIONER
DEPARTMENT OF REVENUE: GOVT. OF NCT OF DELHI
5, SHAM NATH MARG, DELHI - 110054.

No:F.36/(07)/Coordn/Div.Com/07/ 13.4.20

Dated: 13/4/2015

ORDER

The Lieutenant Governor of NCT of Delhi is pleased to:

1. Withdraw this office Order No. F-27/SDM/KJ/2010/131 dated 26.04.2011 and the Order No. F.27/SDM/KJ/2010/97 dated 30.03.2011 with immediate effect (copies enclosed).

2. Order that this Office Order No. F. 36 (07)/Cordn./Div.Com/06/464-90 dated 9th May 2006 (copy enclosed) issued in wake of directions of Hon'ble High Court of Delhi in the Writ Petition (CWC No. 4582/2003) titled Kalyan Sanstha Social Welfare Organization & Ors. Vs UOI & Ors, shall continue to operate. The Municipal Corporations will continue to take necessary action under the building bylaws and structural safety norms against unauthorized construction and unsafe buildings. The Sub-Registrars, Revenue Department will use the details of all booked properties provided by the Municipal Corporations of Delhi and it shall be the duty of the Sub-Registrar to mention the details of the fact that the building is unsafe or has unauthorized construction at the time of registration of transactions relating to immovable property.

3. Order that the registration of transactions relating to immovable property *per se* shall not debar any action to enforce provisions of any law, including prevailing building byelaws / structural safety norms, and that timely action against unauthorized construction/ unsafe buildings shall be taken by the law enforcement agencies/ authorities concerned as per law.

By order and in the name of
The Lieutenant Governor of Delhi

3
13/4/15
(ASHWANI KUMAR)

Secretary (Revenue)-cum-
Inspector General of Registration

To,

1. Commissioner MCD (North)/MCD (South)/MCD (East)
2. All Deputy Commissioners (Revenue), GNCTD
3. Spl. Inspector General of Registration, Revenue Department, GNCTD
4. Addl. Secretary (Revenue), GNCTD
5. All Sub-Divisional Magistrates
6. All Sub-Divisional Magistrates (HQ)
7. All Sub Registrars.
8. Guard File.

No:F.36/(07)/Coordn/Div.Com/07/

Dated:

Copy also to:

1. Principal Secretary to Lt. Governor for information to Hon L.G.
2. Secretary to C.M. for information to C.M.
3. Secretary to Dy C.M./Minister of Revenue
4. OSD to Chief Secretary

13/4/07

(ASHWANI KUMAR)

Secretary (Revenue)-cum-
Inspector General of Registration

70/2

Government of NCT of Delhi
(Revenue Department)
5, Shyam Nath Marg
Delhi

No. F-27/SDM/KJ/2010/131

Dated (the 26 April, 2011)

Order

The Lieutenant Governor of NCT of Delhi is pleased to order that the order No.F.27/SDM/KJ/2010/97 dated 30.03.2011 banning the registration of transactions in respect of all structures that are unsupported with sanctioned building plans vis-a-vis the requirement of furnishing of a certificate of structural safety issued by the competent authority, be kept in abeyance till further orders.

2. The government of NCT of Delhi has further decided that the transactions in respect of properties declared and booked as "unauthorized construction" with effect from April 26, 2011 shall not be registered till the building is regularized. In order to ensure and implement this, with effect from April 26, 2011 buildings declared and booked as "unauthorized construction" by MCD, shall be put on the website of MCD, DDA, NDMC and Delhi Cantonment Board on daily basis with foolproof arrangements of informing the concerned sub-registrars. X

3. This order shall come into force from the date of issue.

By order and in the name of
the Lieutenant Governor of Delhi

(DHARMENDRA)

Secretary (Revenue)-Joint-Inspector General of Registration
Revenue Department
Government of NCT of Delhi

To

1. All Deputy Commissioners (Revenue), GNCTD. D.C. (NW)
2. Special Inspector General of Registration, Revenue Department, GNCTD.
3. Additional Secretary (Revenue), GNCTD
4. All Sub-Divisional Magistrates.
5. All Sub-Divisional Magistrates (Headquarters). 2
6. All Sub-Registrars.
7. Guard File.

Contd. 2

69/c1

Government of NCT of Delhi
(Revenue Department)
5, Sham Nath Marg
Delhi

No. F-27/SDM/KJ/2010/97

Dated the 30th March, 2011

Order

The Government of the National Capital Territory of Delhi having reviewed the situation arising from unchecked growth of unsafe and unauthorized construction have decided to ban the registration of transactions in respect of all structures that are unsupported with sanctioned building plans or, where such plans are shown to have been sanctioned by the competent authority, reveal major structural deviations (i.e. non-compoundable offences) from the sanctioned plans. The vendor and the vendee shall also be required to furnish a certificate of structural safety issued by the competent authority.

2. This order shall come into effect from the date of issue.

By order and in the name of
the Lieutenant Governor

Signature
-30/3/11

(D.M. SPOLIA)

Principal Secretary-cum-Inspector General of Registration
Revenue Department
Government of NCT of Delhi

To

1. All Deputy Commissioners (Revenue), GNCTD.
2. Special Inspector General of Registration, Revenue Department, GNCTD.
3. Additional Secretary (Revenue), GNCTD.
4. All Sub-Divisional Magistrates.
5. All Sub-Divisional Magistrates (Headquarters).
6. All Sub-Registrars.
7. Guard File.

No F-27/SDM/KJ/2010/97

Dated the 30th March, 2011

Copy for information to:

1. Principal Secretary to H.E. Lt. Governor for information of H.E. LG.
2. Principal Secretary to Chief Minister for information of Hon. CM.

Contd.....2

68/c

3. Secretary to Hon' Minister (Revenue & Health) for information of Hon' Minister.
4. Secretary to Hon' Minister (Urban Development & PWD) for information of Hon' Minister.
5. Secretary to Hon' Minister (Development & Food & Supplies) for information of Hon' Minister.
6. Secretary to Hon' Minister (Education & Gurudwara Election) for information of Hon' Minister.
7. Secretary to Hon' Minister (Labour & Industries) for information of Hon' Minister.
8. Secretary to Hon' Minister (Social Welfare & Women & Child Development) for information of Hon' Minister.
9. OSD to Chief Secretary, GNCTD.

Handwritten signature
(D.M. SPOLIA)
Principal Secretary-cum-Inspector General of Registration
Revenue Department
Government of NCT of Delhi

(d) 67/c

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
OFFICE OF THE DIVISIONAL COMMISSIONER : DELHI
5 SHAM NATH MARG : DELHI-54

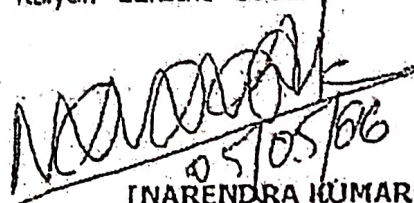
No. F.36(07)/Cordn./Div.Com./06/464-5/c

Dated : 4th May, 2006

ORDER

The Municipal Corporation of Delhi (MCD) has been directed by Hon'ble Delhi High Court to place all the properties, which are unauthorized on the website with specific details as to whether the building is unauthorized on account of extra coverage or on account of extra floor or on account of construction on government land or on account of no sanction plan with details of building whether it is first floor, second floor, or third floor or whatever floors are authorized and what are not authorized so as to remove the ambiguity. All such specifically unauthorized properties or part thereof, appearing in the said list of MCD, will be registered after the full stamp duty chargeable under article 23 of schedule 1-A of Indian Stamp Act 1899 is paid. However, while registering a document in respect of a property enlisted unauthorized by MCD Sub Registrars (SRs) will ensure that a rubber stamp is impressed upon the first and last page of the document revealing that the property is unauthorized as per the list displayed by MCD. Such rubber stamp is being made available to all the SRs, separately. It is to be ensured by all the SR(s)/Registrars that before registering a document, the property mentioned therein is exhaustively checked in the website of MCD and no such property which appears in the list is registered without impressing the said stamp, under the signature of the concerned SR. In case access to the website is not available to a SR, an updated hard copy of the said list may be obtained and referred for this purpose by the concerned SR.

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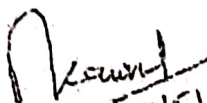
CCRA/DIVISIONAL COMMISSIONER : DELHI

No. F.36(07)/Cordn./Div.Com./06/464-5/c

Dated : 4th May, 2006

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4. SDM I-II-III (HQ.)
5. PA to the Divisional Commissioner.


05/05/06
(AK KAUSHAL)
ADM-II (HQ.)