The New Delhi Municipal Council Act, 1994

Act 44 of 1994. 443 sections. Bare Act with the official footnotes.

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Every section online, with the old and new law side by side and exam questions:
https://www.lawmaker.in/bare-acts/new-delhi-municipal-council-act-1994

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[14th July, 1994.]

An Act to provide for the establishment of the New Delhi Municipal Council and for matters connected therewith or incidental thereto.

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

CHAPTER I PRELIMINARY

Section 1. Short title, extent and commencement

(1) This Act may be called the New Delhi Municipal Council Act, 1994.

(2) It extends to New Delhi.

(3) It shall be deemed to have come into force on the 25th day of May, 1994.

Section 2. Definitions

In this Act, unless the context otherwise requires,-

(1)"Administrator" means the Administrator of the National Capital Territory of Delhi;

[1][(1A) "annual value" means the annual value of any vacant land or covered space of any building determined

under section 64F;]

(2) "Appellate Tribunal" means an Appellate Tribunal constituted under section 253;

(3) "budget-grant" means the total sum entered on the expenditure side of a budget estimate under a major head and adopted by the Council and includes any sum by which such budget-grant may be increased or reduced by transfer from or to other heads in accordance with the provisions of this Act and the regulations made thereunder;

(4) "building" means a house, out-house, stable, latrine, urinal, shed, hut, wall (other than a boundary wall) or any other structure, whether of masonry, bricks, wood, mud, metal or other material but does not include any portable shelter;

(5) "bye-law" means a bye-law made under this Act, by notification in the Official Gazette;

(6) "casual vacancy" means a vacancy occurring otherwise than by efflux of time in the office of a member of the Council;

(7) "Chairperson" means the Chairperson of the Council;

(8) "Corporation" means the Municipal Corporation of Delhi established under the Delhi Municipal Corporation Act, 1957 (66 of 1957);

(9) "Council" means the New Delhi Municipal Council established under this Act;

(10) "dangerous disease" means-

(a) cholera, plague, chicken-pox, small-pox, tuberculosis, leprosy, enteric fever, cerebrospinal meningitis and diptheria; and

(b) any other epidemic, endemic or infectious disease which the Chairperson may, by notification in the Official Gazette, declare to be a dangerous disease for the purposes of this Act;

(11) "Delhi" means the entire area of the National Capital Territory of Delhi except New Delhi and Delhi Cantonment as defined in clause (11) of section 2 of the Delhi Municipal Corporation Act, 1957 (66 of 1957);

(12) "drain" includes a sewer, a house drain, a drain of any other description, a tunnel, a culvert, a ditch, a channel and any other device for carrying off sewage, offensive matter, polluted water, waste water, rain water or sub-soil water;

(13) "entertainment" includes any exhibition, performance, amusement, game or sport to which persons are ordinarily admitted on payment;

(14) "factory" means a factory as defined in the Factories Act, 1948 (63 of 1948);

(15) "filth" includes offensive matter and sewage;

(16) "goods" includes animals;

(17) "Government" means the Government of the National Capital Territory of Delhi;

(18) "house-gully" means a passage or strip of land constructed, set apart or utilised for the purpose of serving as or carrying a drain or affording access to a latrine, urinal, cesspool or other receptacle for filth or other polluted matter, by municipal employee or other person employed in the cleansing thereof or in the removal of such matter therefrom;

(19) "hut" means any building which is constructed principally of wood, bamboo, mud, leaves, grass, cloth or thatch and includes any structure of whatever material made which the Council may declare to be a hut for the purposes of this Act;

(20) "inhabitant", in relation to the municipal area of New Delhi includes any person ordinarily residing or carrying on business or owning or occupying immovable property therein and in case of a dispute, means any person or persons declared by the Chairperson to be an inhabitant;

(21) "land" includes benefits to arise out of land, things attached to the earth or permanently fastened to anything attached to the earth and rights created by law over any street;

(22) "licensed engineer" and "licensed plumber" mean respectively a person licensed under the provisions of this Act as an engineer and a plumber;

(23) "market" includes any place where persons assemble for the sale of, or for the purpose of exposing for sale, meat, fish, fruits, vegetables, animals intended for human consumption or any other articles of human food whatsoever, with or without the consent of the owner of such place notwithstanding that there may be no common regulation for the concourse of buyers and sellers and whether or not any control is exercised over the business of, or the person frequenting, the market by the owner of the place or by any other person;

(24) "member", in relation to the Council, means a member of the Council and includes the Chairperson;

(25) "municipal market" means a market vested in or managed by the Council;

[2][(25A) "Municipal Valuation Committee" means the Municipal Valuation Committee constituted under section 64A;]

(26) "municipal water works" means water works vested in the Council;

(27) "New Delhi" means the area within the boundaries described in the First Schedule;

(28) "nuisance" includes any act, omission, place, animal or thing which causes or is likely to cause injury, danger, annoyance or offence to the sense of sight, smell or hearing or disturbance to rest or sleep, or which is or may be dangerous to life or injurious to health or property;

(29) "occupier" includes-

(a) any person who for the time being is paying or is liable to pay to the owner the rent or any portion of the rent of the land or building in respect of which such rent is paid or is payable;

(b) an owner in occupation of or otherwise using his land or building;

(c) a rent-free tenant of any land or building;

(d) a licensee in occupation of any land or building; and

(e) any person who is liable to pay to the owner damages for the use and occupation of any land or building;

(30) "offensive matter" includes animal carcasses, kitchen or stable refuse, dung, dirt and putrid or putrefying substances other than sewage;

(31) "Official Gazette" means the Official Gazette of the National Capital Territory of Delhi;

(32) "owner" includes a person who for the time being is receiving or is entitled to receive, the rent of any land or building whether on his own account or on account of himself and others or as an agent, trustee, guardian or receiver for any other person or who should so receive the rent or be entitled to receive it if the land or building or part thereof were let to a tenant and also includes-

(a) the custodian of evacuee property in respect of evacuee property vested in him under the Administration of Evacuee Property Act, 1950 (31 of 1950); and

(b) the estate officer to the Government of India, the Secretary of the Delhi Development Authority, constituted under the Delhi Development Act, 1957 (61 of 1957), the General Manager of a railway and the head of a Government department, in respect of properties under their respective control;

(33) "premises" means any land or building or part of a building and includes-

(a) the garden, ground and out-houses, if any, appertaining to a building or part of a building; and

(b) any fittings affixed to a building or part of a building for the more beneficial enjoyment thereof;

(34) "prescribed" means prescribed by rules made under this Act;

(35) "private market" means a market which is not a municipal market;

(36) "private street" means any street, which is not a public street and includes any passage securing access to two or more places belonging to the same or different owners;

(37) "public place" means any place which is open to the use and enjoyment of the public, whether it is actually used or enjoyed by the public or not;

(38) "public securities" means any securities of the Central Government or a State Government or any securities guaranteed by the Central Government or a State Government or any securities issued under this Act or any debentures issued by the Bombay, Calcutta, Delhi or Madras Municipal Corporation;

(39) "public street" means any street which vests in the Council as a public street or the soil below the surface of which vests in the Council or which under the provisions of this Act becomes, or is declared to be, a public street;

[3][(39A) "public utilities" include water-supply, electric supply and lighting, sewerage and drainage, solid waste management, energy and telecommunication services, gas distribution system and public transport system, whether managed by Government or otherwise;]

(40) "railway administration" has the meaning assigned to it in the Railways Act, 1989 (24 of 1989);

(41) "rate payer" means a person liable to pay any rate, tax, cess or licence fee under this Act;

(42) "rateable value" means the value of any land or building fixed in accordance with the provisions of this Act and the bye-laws made thereunder for the purpose of assessment to property taxes;

(43) "regulation" means a regulation made by the Council under this Act by notification in the Official Gazette;

(44) "reside",-

(a) a person shall be deemed to "reside" in any dwelling-house which or some portion of which he sometimes, although not uninterruptedly, uses as a sleeping apartment, and

(b) a person shall not be deemed to cease to "reside" in any such dwelling-house merely because he is absent from it or has elsewhere another dwelling-house in which he resides, if there is the liberty of returning to it at any time and no abandonment of the intention of returning to it;

(45) "rubbish" includes ashes, broken bricks, broken glass, dust, malba, mortar and refuse of any kind which is not filth;

(46) "rule" means a rule made by the Central Government under this Act by notification in the Official Gazette;

(47) "Scheduled Castes" means such castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed to be Scheduled Castes under article 341 of the Constitution;

(48) "service passage" or "lane" or "bye-lane" means a passage or strip of land constructed, set apart or utilised for the purpose of serving as or carrying a drain or electricity cable (underground or over-head) and any electrical and other allied installations or any other civic services by municipal employees or other person employed in the service thereof;

(49) "sewage" means night-soil and other contents of latrines, urinals, cesspools or drains, and polluted water from sinks, bath-rooms, stables, cattle sheds and other like places and includes trade effluents and discharges from factories of all kinds;

(50) "shed" means a slight or temporary structure for shade or shelter;

(51) "street" includes any way, road, lane, square, court, alley, gully, passage, whether a thoroughfare or not and whether built upon or not, over which the public have a right of way and also the roadway or footway over any bridge or causeway;

(52) "trade effluent" means any liquid either with or without particles of matter in suspension therein, which is wholly or in part produced in the course of any trade or industry carried on at trade premises, and in relation to any trade premises means any such liquid as aforesaid which is so produced in the course of any trade or industry carried on at those premises, but does not include domestic sewage;

(53) "trade premises" means any premises used or intended to be used for carrying on any trade or industry;

(54) "trade refuse" means the refuse of any trade or industry;

[4][(54A) "vacant land" means the land within a premises excluding the occupied by the plinth of any building erected thereon;]

(55) "vehicle" includes a carriage, cart, van, dray, truck, hand-cart, bicycle, tricycle, cycle-rickshaw, auto-rickshaw, motor vehicle and every wheeled conveyance which is used or is capable of being used on a street;

(56) "water course" includes any river, stream or channel whether natural or artificial;

(57) "water works" includes all lakes, tanks, streams, any river, cisterns, springs, pumps, wells, reservoirs, aqueducts, water trucks, sluices, mains, pipes, culverts, hydrants, stand-pipes and conduits and all lands, buildings, machinery bridges and things, used for, or intended for the purpose of, supplying water;

(58) "workshop" means any premises (including the precincts thereof) other than a factory, wherein any industrial process is carried on;

(59) "year" means a year commencing on the 1st day of April.

[1] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).
[2] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).
[3] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).
[4] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

CHAPTER II THE COUNCIL

Constitution of the Council

Section 3. Establishment of the Council

(1) With effect from such date as the Central Government may, by notification in the Official Gazette, appoint, there shall be a Council charged with the municipal government of New Delhi, to be known as the New Delhi Municipal Council.

(2) The Council shall be a body corporate with the name aforesaid having perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and may by the said name sue and be sued.

Section 4. Composition of the Council

(1) The Council shall consist of the following members, namely:-

(a) a Chairperson, from amongst the officers, of the Central Government or the Government, of or above the rank of Joint Secretary to the Government of India to be appointed by the Central Government in consultation with the Chief Minister of Delhi;

(b) [1][two members] of Legislative Assembly of Delhi representing constituencies which comprise wholly or partly the New Delhi area;

(c) five members from amongst the officers of the Central Government or the Government or their undertakings, to be nominated by the Central Government; and

(d) [2][four members] to be nominated by the Central Government in consultation with the Chief Minister of Delhi to represent from amongst lawyers, doctors, chartered accountants, engineers, business and financial consultants, intellectuals, traders, labourers, social workers including social scientists, artists, media persons, sports persons and any other class of persons as may be specified by the Central Government in this behalf;

[3][(e) the Member of Parliament, representing constituency which comprises wholly or partly the New Delhi area.]

[4]* * * * *

[5][(3) Out of the thirteen members referred to in sub-section (1), there shall be, at least,-

(a) three members who are women;

(b) two members belonging to the Scheduled Castes, out of which one member shall be from the members nominated under clause (d) of sub-section (1).]

(4) The Central Government shall nominate, in consultation with the Chief Minister of Delhi, a Vice-Chairperson from amongst the members specified in clauses (b) and (d) of sub-section (1).

[1] Subs. by Act 5 of 2012, s. 2, for "three members" (w.e.f. 1-3-2012).
[2] Subs. by s. 2, ibid., for "two members" (w.e.f. 1-3-2012).
[3] Ins. by s. 2, ibid. (w.e.f. 1-3-2012).
[4] Sub-section (2) omitted by Act 5 of 2012, s. 2 (w.e.f. 1-3-2012).
[5] Subs. by s. 2, ibid., for sub-section (3) (w.e.f. 1-3-2012).

Section 5. Duration of the Council

(1) The Council, unless sooner dissolved under section 398 or any other law for the time being in force, shall continue for five years from the date appointed for its first meeting and no longer.

(2) The Council,-

(a) where it is dissolved before the expiry of its duration under sub-section (1), shall be reconstituted within a period of six months of such dissolution; and

(b) where it is dissolved after the expiry of its duration, shall be reconstituted before such expiry.

Section 6. Disqualification for membership of the Council

(1) No person, other than a member of the Legislative Assembly of the National Capital Territory of Delhi, shall be disqualified for being nominated as a member of the Council on the ground that he holds an office of profit for purposes of election to the legislature of the National Capital Territory of Delhi under any law for the time being in force.

(2) If a person sits or votes as a member of the Council when he knows that he is not qualified or that he is disqualified for such membership, he shall be liable in respect of each day on which he so sits or votes to a penalty of three hundred rupees to be recovered as an arrear of tax under this Act.

Members

Section 7. Oath or affirmation

(1) Every member before taking his seat shall make and subscribe at a meeting of the Council an oath or affirmation according to the following form, namely:-

"I, A. B., having been nominated as a member of Council do swear in the name of God/solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will faithfully discharge the duty upon which I am about to enter.".

(2) If a person sits or votes as a member before he has complied with the requirements of sub-section (1), he shall be liable in respect of each day on which he sits or votes as the case may be, to a penalty of three hundred rupees to be

recovered as arrears of tax under this Act.

Section 8. Vacation of seat

(1) If a member resigns his seat by writing under his hand addressed to the Chairperson and delivered to him, his seat shall thereupon become vacant.

(2) If during three successive months, a member is without permission of the Council, absent from all the meetings thereof, the Council may recommend to the Central Government that the seat of such member may be declared vacant.

Committees of the Council

Section 9. Setting-up of committees

(1) The Council may constitute as many committees as it thinks fit for the exercise of any power or discharge of any function which the Council may by resolution delegate to them or for inquiring into, reporting or advising upon any matter which the Council may refer to them.

(2) Any such committee shall consist of members of the Council only:

Provided that a committee may, with the sanction of the Council, co-opt not more than two persons who are not members of the Council, but who in the opinion of the Council possesses special qualifications for serving on such committee.

(3) Each committee constituted under this section shall be presided by the Chairperson of the Council.

(4) Any matter relating to a committee constituted under this section, not expressly provided in this Act may be provided by regulations made in this behalf.

CHAPTER III FUNCTIONS OF THE COUNCIL

Section 10. General powers of the Council

(1) Subject to the provisions of this Act and the rules, regulations and bye-laws made thereunder the municipal government of New Delhi shall vest in the Council.

(2) Without prejudice to the generality of the provisions of sub-section (1), it shall be the duty of the Council to consider all periodical statements of the receipts and disbursements and all progress reports and pass such resolutions thereon as it thinks fit.

(3) The Council may at any time require the Chairperson-

(a) to produce any record, correspondence, plan or other document which is in his possession or under his control as Chairperson or which is recorded or filed in his office or in the office of any municipal officer or other municipal employee subordinate to him;

(b) to furnish any return, plan, estimate, statement, account or statistics concerning or connected with any matter pertaining to the administration of this Act or the municipal government of New Delhi;

(c) to furnish a report by himself or to obtain from the head of any department subordinate to him and furnish with his own remarks thereon, a report, upon any subject concerning or connected with the administration of this Act or the municipal government of New Delhi.

(4) Every such requisition shall be complied with by the Chairperson without any unreasonable delay; and it shall be incumbent on every municipal officer and other municipal employee to obey any order made by the Chairperson in pursuance of any such requisition:

Provided that the Chairperson shall not be bound to comply with any such requisition if with the previous approval of the Administrator he makes a statement that such compliance would be prejudicial to public interest or to the interests of the Council.

Section 11. Obligatory functions of the Council

Subject to the provisions of this Act and any other law for the time being in force, it shall be incumbent on the Council to make adequate provisions by any means or measures which it may lawfully use or take, for each of the following matters, namely:-

(a) the construction, maintenance and cleansing of drains and drainage works and of public latrines, urinals and similar conveniences;

(b) the construction and maintenance of works and means for providing supply of water for public and private

purposes;

(c) the scavenging, removal and disposal of filth, rubbish and other obnoxious or polluted matters;

(d) the construction or purchase, maintenance, extension, management for-

(i) supply and distribution of electricity to the public;

(ii) providing a sufficient supply of pure and wholesome water;

(e) the reclamation of unhealthy localities, the removal of noxious vegetation and generally the abatement of all nuisances;

(f) the regulation of places for the disposal of the dead and the provision and maintenance of places for the said purpose;

(g) the registration of births and deaths;

(h) public vaccination and inoculation;

(i) measures for preventing and checking the spread of dangerous diseases;

(j) the establishment and maintenance of hospitals, dispensaries and maternity and child welfare centres and the carrying out of other measures necessary for public medical relief;

(k) the construction and maintenance of municipal markets and regulation of all markets;

(l) the regulation and abatement of offensive or dangerous trade or practices;

(m) the securing or removal of dangerous buildings and places;

(n) the construction, maintenance, alteration and improvements of public streets, bridges, culverts, causeways and the like;

(o) the lighting, watering and cleansing of public streets and other public places;

(p) the removal of obstructions and projections in or upon streets, bridges and other public places;

(q) the naming and numbering of streets and premises;

(r) the establishment, maintenance of, and aid to, schools for primary educations subject to such grants as may be determined by the Central Government from time to time;

(s) the maintenance of municipal offices;

(t) the laying out or the maintenance of public parks, gardens or recreation grounds;

(u) the maintenance of monuments and memorials vested in any local authority in New Delhi immediately before the commencement of this Act or which may be vested in the Council after such commencement;

(v) the maintenance and development of the value of all properties vested in or entrusted to the management of the Council;

(w) the preparation of plans for economic development and social justice;

(x) the maintenance including the expansion and upgradation of facilities of the hospitals existing on the date of the commencement of this Act;

(y) sanction or refuse erection or re-erection of buildings; and

(z) the fulfilment of any other obligation imposed by or under this Act or any other law for the time being in force.

Section 12. Discretionary functions of the Council

Subject to any general or special order of the Government, or the Central Government from time to time, the Council may provide either wholly or in part for all or any of the following matters, namely:-

(a) the furtherance of education including cultural and physical education, by measures other than the establishment and maintenance of, and aid to, schools for primary education;

(b) the establishment and maintenance of, and aid to, libraries, museums, art galleries, botanical or zoological collections;

(c) the establishment and maintenance of, and aid to, stadia, gymnasia, akharas and places for sports and games;

(d) the planting and care of trees on roadsides and elsewhere;

(e) the surveys of buildings and lands;

(f) the registration of marriages;

(g) the taking of a census of population;

(h) the provision of housing accommodation for the inhabitants of any area or for any class of inhabitants;

(i) the providing of music or other entertainments in public places or places of public resort and the establishment of theatres and cinemas;

(j) the organisation and management of fairs and exhibitions;

(k) the acquisition of movable or immovable property for any of the purpose before mentioned, including payment of the cost of investigations, surveys or examinations in relation thereto for the construction or adaptation of building necessary for such purposes;

(l) the construction and maintenance of-

(i) rest-houses,

(ii) poor-houses,

(iii) infirmaries,

(iv) children's homes,

(v) houses for the deaf and dumb and for disabled and handicapped children,

(vi) shelters for destitute and disabled persons,

(vii) asylums for persons of unsound mind;

(m) the construction and maintenance of cattle pounds;

(n) the building or purchase and maintenance of dwelling-houses for municipal officers and other municipal employees;

(o) any measures for the welfare of the municipal officers and other municipal employees or any class of them including the sanctioning of loans to such officers and employees or any class of them for construction of houses and purchase of vehicles;

(p) the organisation or management of chemical or bacteriological laboratories for the examination or analysis of water, food and drugs for the detection of diseases or research connected with the public health or medical relief;

(q) the provision for relief to destitute and disabled persons;

(r) the establishment and maintenance of veterinary hospitals;

(s) the organisation, construction, maintenance and management of swimming pools, public wash houses, bathing places and other institutions designed for the improvement of public health;

(t) the organisation and management of farms and dairies within or without New Delhi for the supply, distribution and processing of milk and milk products for the benefit of the residents of New Delhi;

(u) the organisation and management of cottage industries, handicraft centres and sales emporia;

(v) the construction and maintenance of warehouses and godowns;

(w) the construction and maintenance of garrages, sheds and stands for vehicles and cattle biers;

(x) the provision for unfiltered water supply;

(y) the improvement of New Delhi in accordance with improvement schemes approved by the Council;

(z) any measure not hereinbefore specifically mentioned, likely to promote public safety, health, convenience or general welfare.

CHAPTER IV THE CHAIRPERSON

Section 13. Appointment, etc., of the Chairperson

(1) The Central Government shall, by notification in the Official Gazette, appoint a suitable person as the Chairperson of the Council in accordance with clause (a) of sub-section (1) of section 4.

(2) The Chairperson so appointed shall hold office for a term of five years in the first instance:

Provided that his appointment may be renewed from time to time for a term not exceeding one year at a time:

Provided further that where the Chairperson holds a lien on any service under the Central Government or the Government, the Central Government may at any time after reasonable notice to the Council replace his services at the disposal of the concerned Government.

(3) The Central Government may remove the Chairperson from office at any time if it appears to that Government that he is incapable of performing the duties of his office or has been guilty of neglect or misconduct in the discharge of such duties, which renders his removal expedient.

(4) The Chairperson shall not undertake any work unconnected with his office without the sanction of the Central Government and of the Council.

Section 14. Leave of absence of Chairperson

(1) Leave may be granted to the Chairperson by the Administrator.

(2) Whenever such leave is granted to the Chairperson, the Central Government shall appoint another person to officiate as Chairperson in his place.

Section 15. Appointment of officiating Chairperson in case of death, resignation or removal of Chairperson

If any vacancy occurs in the office of Chairperson on account of death, resignation or removal, the Central Government shall appoint another person to officiate as Chairperson in his place for a term not exceeding two months, pending the appointment of a Chairperson under section 13.

Section 16. Salary and allowances of the Chairperson and members

(1) The Chairperson shall be paid out of the New Delhi Municipal Fund constituted under section 44 such monthly salary and such monthly allowances, if any, as may from time to time be fixed by the Central Government and may be given such facilities, if any, in relation to residential accommodation, conveyance and the like as may from time to time be fixed by that Government:

Provided that the salary of the Chairperson shall not be varied to his disadvantage after his appointment.

(2) The members shall be entitled to receive allowances for attendance at meeting of Council and of any of its committees at such rates as may be determined by rules made in this behalf.

Section 17. Service regulations of members

If a member is an officer in the service of the Government or the Central Government, the Council shall make such contribution towards his leave allowances, pension and provident fund as may be required by the conditions of his service under the Government or the Central Government to be paid by him or for him, as the case may be.

Section 18. Functions of the Chairperson

Save as otherwise provided in this Act the entire executive power for the purpose of carrying out the provisions of this Act and of any other Act, for the time being in force which confers, any power or imposes any duty on the Council, shall vest in the Chairperson who shall also-

(a) exercise all the powers and perform all the duties specifically conferred or imposed upon him by this Act or by any other law for the time being in force;

(b) prescribe the duties of and exercise supervision and control over the acts and proceedings of, all municipal officers and other municipal employees and subject to any regulation that may be made in this behalf, dispose of all questions relating to the service of the said officers and other employees and their pay, privileges, allowances and other conditions of service;

(c) on the occurrence or threatened occurrence of any sudden accident or any unforeseen event or natural calamity involving or likely to involve extensive damage to any property of the Council, or danger to human life, take such immediate action as he considers necessary and make a report forthwith to the Council and the Administrator of the action he has taken and the reasons for the same as also of the amount of cost, if any, incurred or likely to be incurred in consequence of such action, which is not covered by a budget-grant; and

(d) subject to any regulation that may be made in this behalf, be the disciplinary authority in relation to all municipal officers and other municipal employees.

Section 19. Chairperson not to be interested in any contract, etc., with the Council

(1) A person shall be disqualified for being appointed as the Chairperson who has directly or indirectly, by himself or by a partner or any other person, any share or interest in any contract made with, or any work being done for, the Council other than as such Chairperson.

(2) If the Chairperson acquires directly or indirectly, by himself or by his partner, or any other person, any share or interest in any such contract or work as is referred to in sub-section (1), he shall, unless the Central Government in any particular case otherwise decides, be liable to be removed from his office by the order of the authority competent to remove him under the provisions of this Act:

Provided that before an order of removal is made the Chairperson shall be given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

Section 20. Exercise of powers to be subject to sanction

Save as otherwise provided in this Act, the exercise of any power or the performance of any duty conferred or imposed upon the Council by or under this Act which will involve expenditure, shall be subject to the following conditions, namely:-

(a) that such expenditure, in so far as it is to be incurred in the year in which such power is exercised or duty performed, shall be provided for under a current budget-grant; and

(b) that if the exercise of such powers or the performance of such duty involves or is likely to involve expenditure for any period or at any time after the close of the said year, such expenditure shall not be incurred without the sanction of the Council.

CHAPTER V PROCEDURE

Transaction of business by the Council

Section 21. Meetings

(1) The Council shall ordinarily hold at least one meeting in every month for the transaction of business.

(2) The Chairperson and in his absence the Vice-Chairperson may, whenever he thinks fit, and shall, upon a requisition in writing by not less than one-fourth of the total number of members, convene a special meeting of the Council.

(3) Any meeting may be adjourned until the next or any subsequent date, and an adjourned meeting may be further adjourned in like manner.

Section 22. First meeting of the Council

The first meeting of the Council shall be held as early as possible and shall be convened by the Administrator.

Section 23. Notice of meetings and business

A list of the business to be transacted at every meeting except at an adjourned meeting shall be sent to the address of each member at least seventy-two hours before the time fixed for such meeting; and no business shall, except where the Chairperson otherwise directs, be brought before, or transacted at, in any meeting other than the business of which a notice has been so given:

Provided that any member may send of deliver to the Secretary notice of any resolution going beyond the matters mentioned in the notice given of such meeting so as to reach him at least forty-eight hours before the date fixed for the meeting and the Secretary shall, with all possible despatch, take steps to circulate such resolution to every member in such manner as he may think fit.

Section 24. Quorum

(1) The quorum necessary for the transaction of business at a meeting of the Council shall be prescribed by the Central Government.

(2) If at any time during a meeting of the Council, there is no quorum, it shall be the duty of the Chairperson or the person presiding over such meeting either to adjourn the meeting or to suspend the meeting until there is a quorum.

(3) Where a meeting has been adjourned under sub-section (2), the business which would have been brought before the original meeting if there had been a quorum present there at, shall be brought before, and may be transacted at an adjourned meeting, whether there is a quorum present or not.

Section 25. Presiding Officer

[1][(1) The meetings of the Council shall be presided over, in the following order, by,-

(a) the Chief Minister of Delhi, if he is a member of the Legislative Assembly of Delhi representing the constituency which comprises wholly or partly the New Delhi area, and attends the meeting being a member of the Council under clause (b) of sub-section (1) of section 4; or

(b) the Union Minister, if he is a Member of Parliament representing the constituency which comprises wholly or partly the New Delhi area, and attends the meeting being a member of the Council under clause (e) of sub-section (1) of section 4; or

(c) the Minister in the Government of National Capital Territory of Delhi, if he is a Member of the Legislative Assembly of Delhi representing the constituency which comprises wholly or partly the New Delhi area, and attends the meeting being a member of the Council under clause (b) of sub-section (1) of section 4; or

(d) the Member of Parliament not being a Minister for the Union representing the constituency which comprises wholly or partly the New Delhi area, and attends the meeting being a member of the Council under clause (e) of sub-section (1) of section 4; or

(e) the Chairperson of the Council.]

(2) The Chairperson or the person presiding over a meeting shall have and exercise a second or a casting vote in all cases of equality of votes.

[1] Subs. by Act 5 of 2012, s. 3, for sub-section (1) (w.e.f. 1-3-2012).

Section 26. Method of deciding questions

(1) Save as otherwise provided in this Act, all matters required to be decided by the Council shall be decided by the majority of the votes of the members present and voting.

(2) The voting shall be by show of hands, but the Council may, subject to such regulations as may be made by it, resolve that any question or class of question shall be decided by ballot.

Section 27. Members not to vote on matter in which they are interested

No member shall vote at a meeting of the Council or of any Committee thereof on any question relating to his own conduct or vote or take part in any discussion on any matter (other than a matter affecting generally the residents of New Delhi) which affect his pecuniary interest or any property in respect of which he is directly or indirectly interested, or any property of or for which he is a manager or agent.

Section 28. Right to attend meetings of Council and its committees, etc., and right of members to ask questions in relation to the municipal government of New Delhi

(1) Any municipal officer authorised by the Chairperson in this behalf may attend, speak in, or otherwise take part in the proceedings of, any meeting of the Council or any of its Committees, but none of the persons specified herein shall by virtue of this sub-section be entitled to vote in any such meeting.

(2) A member may, subject to the provisions of sub-section (3), ask the Chairperson questions on any matter relating to the municipal government of New Delhi or the administration of this Act in any meeting of the Council.

(3) The right to ask a question shall be governed by the following conditions, namely:-

(a) not less than seven clear days' notice in writing specifying the question shall be given to the Secretary;

(b) no question shall-

(i) bring in any name or statement not strictly necessary to make the question intelligible,

(ii) contain argument, ironical expressions, imputations, epithets or defamatory statements,

(iii) ask for an expression of opinion or the solution of a hypothetical proposition,

(iv) ask as to the character or conduct of any person except in his official or public capacity,

(v) relate to a matter which is not primarily the concern of the Council,

(vi) make or imply a charge of a personal character,

(vii) raise questions of policy too large to be dealt with within the limits of an answer to a question,

(viii) repeat in substance questions already answered or to which an answer has been refused,

(ix) ask for information on trivial matters,

(x) ordinarily ask for information on matters of past history,

(xi) ask for information set forth in accessible documents or in ordinary works of reference,

(xii) raise matters under the control of bodies or persons not primarily responsible to the Council,

(xiii) ask for any information on matter which is under adjudication by a court of law.

(4) The Chairperson shall not be bound to answer a question if it asks for information which has been communicated to him in confidence or if in the opinion of the Chairperson it cannot be answered without prejudice to public interest or the interest of the Council.

(5) The Council may make regulations for the transaction of business at its meetings:

Provided that the time, place and procedure for the first meeting after the constitution of the Council under section 4 shall be determined by the Administrator.

Section 29. Keeping of minutes and proceedings

Minutes in which shall be recorded the names of the members present at, and the proceedings of each meeting of the Council, and every other committee constituted under sub-section (1) of section 9 shall be drawn up and recorded in a book to be kept for that purpose, and shall be laid before the next ensuring meeting of the Council, or of such committee, as the case may be, and signed at such meeting by the presiding officer thereof.

Section 30. Circulation of minutes and inspection of minutes and reports of proceedings

(1) Minutes of the proceedings of each meeting of the Council shall be circulated to all the members and shall at reasonable times be available at the municipal office for inspection by any other person on payment of a fee of two rupees.

(2) Full reports, if any, of such proceedings shall similarly be available for inspection, by any member without charge and by any other person on payment of a fee of two rupees.

Section 31. Forwarding minutes and reports of proceedings to the Administrator

(1) The Secretary shall forward to the Administrator a copy of the minutes of the proceedings of each meeting of the Council, within ten days from the date on which the minutes of the proceedings of such meeting were signed under section 29.

(2) The Administrator may also in any case ask for a copy of any paper or all the papers which were laid before the Council or any committee thereof and the Secretary shall forward to the Administrator a copy of such paper or papers.

(3) The Secretary shall also forward to the Administrator as soon as may be after the date referred to in sub-section (1) a full report of the proceedings of each meeting of the Council, if any such report be prepared.

Validation

Section 32. Validation of proceedings, etc

(1) No act done or proceedings taken under this Act shall be questioned on the ground merely of-

(a) the seat of any member remaining unfilled from any cause whatsoever;

(b) the existence of any vacancy in, or any defect in the constitution of, the Council or in any committee thereof;

(c) any member having voted or taken part in any proceedings in contravention of section 27;

(d) any defect or irregularity not affecting the merits of the case.

(2) Every meeting of the Council or of any committee thereof, the minutes of the proceeding of which have been duly drawn up and signed shall be deemed to have been duly convened and to be free from all defects and irregularities.

CHAPTER VI MUNICIPAL OFFICERS AND OTHER MUNICIPAL EMPLOYEES

Section 33. Appointment of certain officers

(1) The Council shall appoint suitable persons to be the Secretary and Chief Auditor of the Council, and such other officer or officers as the Council may deem fit on such monthly salaries and such allowances, if any, as may be fixed by the Council:

Provided that the Chief Auditor shall not be eligible for any other office under the Council after he has ceased to hold this office.

(2) The appointment of the Secretary and the Chief Auditor shall be made with the previous approval of the Administrator.

Section 34. Schedule of permanent posts and creation of temporary posts

(1) The Chairperson shall from time to time prepare and lay before the Council a Schedule of category 'A' and category 'B' posts other than the posts of Secretary and Chief Auditor specified in section 33, setting forth the designations and grades of municipal officers and other municipal employees who should be maintained permanently in the service of the Council indicating therein the salaries, fees and allowances which are proposed to be paid to such officers and other employees.

(2) The Council shall approve and sanction the Schedule either without modifications or with such modifications as it thinks fit or may amend it either on its own motion or otherwise.

(3) The Chairperson may create any category 'B', or category 'C', or Category 'D' post and for a period not exceeding six months any category 'A' post:

Provided that no such category 'A' post shall be beyond the said period without the previous approval of the Council.

(4) In this section and in section 36-

(i) "category 'A' post" means any post, which having regard to its scale of pay or emoluments, would, if such post had been in the Central Government, be classified as a Group 'A' post under the Central Government in accordance with the orders issued by that Government from time to time;

(ii) "category 'B' post" means any post which having regard to its scale of pay or emoluments, would, if such post had been in the Central Government, be classified as a Group 'B' post under the Central Government in accordance with the orders issued by that Government from time to time;

(iii) "category 'C' posts" means any post, which having regard to its scale of pay or emoluments would, if such post had been in the Central Government, be classified as a Group 'C' post under the Central Government, in accordance with the orders issued by that Government from time to time;

(iv) "category 'D' posts" means any post, other than a category 'A' or category 'B' or category 'C' post.

Section 35. Restriction on employment of permanent officers and other employees

No permanent officer or other employee shall be entertained in any department of the municipal administration unless he has been appointed under sub-section (1) of section 33 or his office and emoluments are included in the Schedule for the time being in force prepared and sanctioned under section 34 or is appointed against a permanent post under section 36.

Section 36. Power to make appointments

(1) Subject to the provisions of section 33, the power of appointing municipal officers and other municipal employees, whether temporary or permanent,-

(a) to category 'A', category 'B' and category 'C' posts, shall vest in the Chairperson; and

(b) to category 'D' posts shall vest in the Secretary.

(2) The claims of the members of the Scheduled Castes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments of municipal officers and other municipal employees.

Section 37. Officers and other employees not to undertake any extraneous work

No municipal officer or other municipal employee shall undertake any work unconnected with his duties under this Act except with the permission of the Chairperson.

Section 38. Officers and other employees not to be interested in any contract, etc., with the Council

(1) A person shall be disqualified for being appointed as a municipal officer or employee if he has, directly or indirectly, by himself or by a partner or any other person any share or interest in any contract made with, or any work being done for, the Council other than as such officer or employee.

(2) If any such officer or other employee acquires, directly or indirectly, by himself or by a partner or any other person, any share or interest in any such contract or work as is referred to in sub-section (1), he shall unless the authority appointing him in any particular case otherwise decides, be liable to be removed from his office by an order of such authority:

Provided that before an order of removal is made, such officer or other employee shall be given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

Section 39. Punishment for municipal officers and other employees

(1) Every municipal officer or other municipal employee shall be liable to have his increments or promotion withheld or to be censured, reduced in rank, compulsorily retired, removed or dismissed for any breach of any departmental regulations or of discipline or for carelessness, unfitness, neglect of duty or other misconduct by such authority as may be prescribed by regulation:

Provided that no such officer or other employee as aforesaid shall be reduced in rank, compulsorily retired, removed or dismissed by an authority subordinate to that by which he was appointed:

Provided further that the Council may by regulations provide that municipal employees belonging to such classes or categories as may be specified in the regulations shall be liable also to be fined by such authority as may be specified therein.

(2) No such officer or other employee shall be punished under sub-section (1) unless he has been given a reasonable

opportunity of showing cause against the action proposed to be taken in regard to him:

Provided that this sub-section shall not apply-

(a) where an officer or other employee is removed or dismissed on the ground of conduct which had led to his conviction on a criminal charge; or

(b) where the authority empowered to remove or dismiss such officer or other employee is satisfied that for some reason, to be recorded by that authority, it is not reasonably practicable to give that person an opportunity of showing cause.

(3) If any question arises whether it is not reasonably practicable to give any officer or other employee an opportunity of showing cause under sub-section (2), the decision thereon of the authority empowered to remove or dismiss such officer or other employee shall be final.

(4) An officer or other employee upon whom a punishment has been inflicted under this section may appeal to such officer or authority as may be prescribed by regulations:

Provided that in the case of an officer or other employee appointed by the Chairperson, an appeal shall lie to the Administrator.

Section 40. Consultation with the Union Public Service Commission

No appointment to any category A post within the meaning of clause (i) of sub-section (4) of section 34 shall be made except after consultation with the Commission:

Provided that no such consultation with the Commission shall be necessary in regard to the selection for appointment-

(a) to any acting or temporary post for a period not exceeding one year; or

(b) to such ministerial posts as may from time to time be specified by the Council in consultation with the Commission when such posts are to be filled by promotion; or

(c) to a post when at the time of such appointment the person to be appointed thereto is in the service of the Central Government or a State Government in a Group A post;

(d) to a permanent or temporary post, if the officer or other employee to be appointed is not likely to hold that post for more than one year; or if such officer or other employee is likely to hold the post for more than one year but not more than three years and the Commission advises that the appointment may be made without consulting the Commission; or

(e) to such other posts, as may, from time to time, be specified by the Central Government in consultation with the Commission.

Section 41. Power of Commission to make regulations and reference to the Central Government in case of difference between the Commission and the Council

(1) The Commission may make regulations for the following matters, namely:-

(a) the procedure to be followed by the Commission in advertising posts, inviting applications, scrutinising the same and selecting candidates for interview;

(b) the procedure to be followed by the Commission for selecting candidates for appointment and by the Council for consultation with the Commission;

(c) any other matter which is incidental to, or necessary for, the purpose of consultation with the Commission.

(2) In the case of any difference of opinion between the Commission and the Council on any matter, the Council shall refer the matter to the Central Government and the decision of that Government thereon shall be final.

Section 42. Recruitment to category B and category C posts

The direct recruitment to category B and category C posts may be made by the Government through such agencies as may be prescribed for it.

Section 43. Power of Council to make regulations

(1) The Council may make regulations to provide for any one or more of the following matters, namely:-

(a) the tenure of office, salaries and allowances, provident funds, pensions, gratuities, leave of absence and other conditions of service of officers and other employees appointed under this Chapter;

(b) the powers, duties and functions of Secretary;

(c) the qualifications of candidates for appointment to posts specified in section 33 and to posts dealt with in the Schedule of posts referred to in sub-section (1) of section 34 and the manner of selection for appointments to such posts;

(d) the procedure to be followed in imposing any penalty under sub-section (1) of section 39, suspension pending departmental inquiries before the imposition of such penalty and the authority by whom such suspension may be ordered; the officer or authority to whom an appeal shall lie under sub-section (4) of that section;

(e) any other matter which is incidental to or necessary for, the purpose of regulating the appointment and conditions of service of persons appointed to services and posts under the Council and any other matter for which in the opinion of the Council provisions should be made by regulations.

(2) No regulation under clause (c) of sub-section (1) shall be made except after consultation with the Commission.

CHAPTER VII REVENUE AND EXPENDITURE

The New Delhi Municipal Fund

Section 44. Constitution of the New Delhi Municipal Fund

(1) Save as otherwise provided in this Act-

(a) all funds which immediately before the establishment of the Council vested in the New Delhi Municipal Committee;

(b) all moneys received by or on behalf of the Council under the provisions of this Act or of any other law for the time being in force, or under any contract;

(c) all proceeds of the disposal of property by, or on behalf of, the Council;

(d) all rents accruing from any property of the Council;

(e) all moneys raised by any tax, rate or cess levied for the purposes of this Act;

(f) all fees collected and all fines levied under this Act or under any rule, regulation or bye-law made thereunder;

(g) all moneys received by or on behalf of the Council from the Government or Central Government or any individual or association of individuals by way of grant or gift or deposit;

(h) all interests and profits arising from any investment of, or from any transaction in connection with, any money belonging to the Council, including loans advanced under this Act; and

(i) all moneys received by or on behalf of the Council from any other source whatsoever,

shall form one Fund to be entitled "the Municipal Fund of New Delhi" (hereafter in this Act referred to as "the New Delhi Municipal Fund").

(2) The New Delhi Municipal Fund shall be held by the Council in trust for the purposes of this Act subject to the provisions herein contained and a General Account relating to all moneys received by or on behalf of the Council shall be maintained.

Section 45. New Delhi Municipal Fund to be kept in the State Bank of India

All moneys payable to the credit of the New Delhi Municipal Fund in the General Account shall be received by the Chairperson and shall be forthwith paid into the State Bank of India to the credit of the said Account which shall be entitled "The General Account of the New Delhi Municipal Fund".

Section 46. Operation of the Accounts

(1) Save as otherwise provided in this Act no payment shall be made by the State Bank of India out of the New Delhi Municipal Fund except on a cheque signed by both-

(a) the Financial Adviser or an officer subordinate to him authorised by the Chairperson in this behalf; and

(b) the Chairperson or the Secretary or an officer subordinate to the Chairperson authorised by him in this behalf.

(2) Payment of any sum due by the Council in excess of five hundred rupees shall be made by means of a cheque signed in accordance with sub-section (1) and not in any other way.

(3) Payments not covered by sub-section (2) may be made in cash.

Section 47. Payments not to be made unless covered by a budget-grant

No payment of any sum out of the New Delhi Municipal Fund shall be made unless the expenditure of the same is covered by a current budget-grant and a sufficient balance of such budget-grant is still available notwithstanding any reduction or transfer thereof which may have been made under the provisions of this Act:

Provided that this section shall not apply to payments made in the following classes of cases, namely:-

(a) refund of taxes and other moneys which are authorised under this Act;

(b) repayment of moneys belonging to contractors or other persons and held in deposit and of moneys collected or credited to the New Delhi Municipal Fund by mistake;

(c) sums payable in any of the following circumstances-

(i) under orders of the Central Government on failure of the Council to take any action as required by that Government; or

(ii) under any other enactment for the time being in force; or

(iii) under the decree or order of a civil or criminal court passed against the Council; or

(iv) under a compromise of any claim, suit or other legal proceedings; or

(v) on account of cost incurred in taking immediate action by the Chairperson under clause (c) of section 18 to avert a sudden threat of danger to the property of the Council or to human life;

(d) temporary payments for works urgently required by the Central Government in the public interest;

(e) sums payable as compensation under this Act or under any rules, regulations or bye-laws made thereunder;

(f) expenses incurred under section 287 by the Chairperson on special measures taken on the outbreak of dangerous diseases.

Section 48. Duty of persons signing cheques

Before any person signs a cheque in accordance with section 46, he shall satisfy himself that the sum for which the cheque is drawn is either-

(a) required for a purpose or work specifically sanctioned by the proper authority and covered by a current budget-grant, or

(b) required for any payment referred to or specified in section 47.

Section 49. Procedure when money not covered by a budget-grant is expended

Whenever any sum is expended under clauses (c), (e) or (f) of the proviso to section 47, the Chairperson shall forthwith communicate the circumstances to the Council, which may take such action under the provisions of this Act as shall, in the circumstances appear possible and expedient for covering the amount of the additional expenditure.

Section 50. Application of New Delhi Municipal Fund

(1) The moneys from time to time credited to the New Delhi Municipal Fund shall be applied in payment of all sums, charges and costs necessary for carrying out the provisions of this Act, and of the rules, regulations and bye-laws made thereunder, or of which payment is duly directed, sanctioned or required by or under any of the provisions of this Act.

(2) Such moneys shall likewise be applied in payment of all sums payable out of the New Delhi Municipal Fund under any other enactment for the time being in force.

Section 51. Temporary payments from the New Delhi Municipal Fund for works urgently required for the public service

(1) On the written requisition of a Secretary to the Central Government, the Chairperson may at any time undertake the execution of any work certified by such Secretary to be urgently required in public interest, and for this purpose may temporarily make payments from the New Delhi Municipal Fund so far as the same can be met without unduly interfering with the regular work of the Council.

(2) The cost of work so executed and of the establishment engaged in executing the same shall be paid by the Central Government and credited to the New Delhi Municipal Fund.

(3) On the receipt of any requisition under sub-section (1) the Chairperson shall forthwith forward a copy thereof to the Council together with a report of the steps taken by him in pursuance of the same.

Section 52. Investment of surplus moneys

(1) Surplus money standing at the credit of General Account of the New Delhi Municipal Fund which cannot immediately be applied for the purposes specified in section 50 shall be deposited in the State Bank of India or in such scheduled bank or banks as the Council may select or be invested in public securities.

(2) The loss, if any, arising from such deposit or investment shall be debited to the General Account of the New Delhi

Municipal Fund.

Section 53. Constitution of Finance Commission

(1) After the commencement of this Act the Finance Commission referred to in sub-section (1) of section 107A of the Delhi Municipal Corporation Act, 1957 (66 of 1957), shall review the financial position of the Council and make recommendations to the Administrator as to,-

(a) the principles which should govern,-

(i) the distribution between the National Capital Territory of Delhi and the Council of the net proceeds of the taxes, duties, tolls and fees leviable by the National Capital Territory of Delhi which may be divided between them;

(ii) the determination of the taxes, duties, tolls and fees which may be assigned to or appropriated by, the Council;

(iii) the grants-in-aid to the Council from the Consolidated Fund of the National Capital Territory of Delhi;

(b) the measures needed to improve the financial position of the Council,

(c) any other matter referred to the Finance Commission by the Administrator in the interest of sound finance of the Council.

(2) The Administrator shall cause every recommendation made by the Commission under this section together within an explanatory memorandum as to the action taken thereon to be laid before the Legislative Assembly of the National Capital Territory of Delhi.

Special Funds

Section 54. Constitution of special funds

(1) The Council shall constitute such special fund or funds as may be prescribed by regulations and such other funds necessary for the purposes of this Act as may be so prescribed.

(2) The constitution and disposal of such funds shall be effected in the manner laid down by regulations.

Budget estimates

Section 55. Adoption of budget estimates

(1) The Council shall, on or before the 31st day of March of every year, adopt for the ensuing year the budget estimate which shall be an estimate of the income and expenditure of the Council to be received and incurred on account of the municipal government of New Delhi.

(2) On or before the 15th day of February of each year the Council shall determine the rates at which various municipal taxes, rates and cesses shall be levied in the next following year and save as otherwise provided in this Act the rates so fixed shall not be subsequently altered for the year for which they have been fixed.

(3) Budget estimates shall be prepared in such form as may be approved by the Council and presented and adopted in such manner and shall provide for all such matters as are prescribed by regulations made in this behalf.

Section 56. Power of Council to alter budget estimates

(1) On the recommendation of the Chairperson in respect of the budget estimate, the Council may from time to time, during the year,

(i) increase the amount of budget-grant under any head;

(ii) make additional budget-grant for the purpose of meeting any special or unforeseen requirement arising during the said year;

(iii) transfer the amount or portion of the amount of the budget-grant under any head to any other head; or

(iv) reduce the amount of the budget-grant under any head:

Provided that due regard shall be had to all the requirements of this Act and in making any increase or any additional budget-grant, the estimated cash balance at the close of the year shall not be reduced below the sum of one lakh rupees or such higher sum as the Council may determine in respect of the budget estimate.

(2) Every increase in a budget-grant and every additional budget-grant made in any year under sub-section (1) shall be deemed to be included in the budget estimates finally adopted for that year.

(3) The Council may from time to time during the year-

(a) reduce the amount of a budget-grant; or

(b) sanction the transfer of any amount within a budget-grant.

(4) The Chairperson may from time to time during the year sanction the transfer of any amount not exceeding ten thousand rupees within a minor head if such transfer does not involve a recurring liability:

Provided that every such transfer if it exceeds ten thousand rupees shall be reported forthwith by the Chairperson to the Council and the Chairperson shall give effect to any order that may be passed by the Council in relation thereto.

Section 57. Power of Council to re-adjust income and expenditure during the year

(1) If at any time during the year it appears to the Council that, notwithstanding any reduction of budget-grant that has been made under section 56 the income of the New Delhi Municipal Fund during the same year will not suffice to meet the expenditure sanctioned in the budget estimates of that year and to leave at the close of the year the cash balance specified in or determined under the proviso to sub-section (1) of section 56, then, it shall be incumbent on the Council to sanction forthwith any measures which it may consider necessary for adjusting the year's income to the expenditure.

(2) For the purposes of sub-section (1), the Council may either diminish the sanctioned expenditure of the year so far as it may be possible so to do with regard to all the requirements of this Act, or have recourse to supplementary taxation under section 97 or to an increase of the rates of cesses, fees, fares and other charges leviable under this Act, or to adopt all or any of these methods.

(3) If the whole or any part of any budget-grant included in the budget estimates for a year remains unexpended at the close of that year, and the amount thereof has not been taken into account in the opening balance entered in the budget estimates of any of the next two following years, the Chairperson may sanction the expenditure of such budget-grant or the unexpended portion thereof during the next two following years for the completion of the purpose or object for which the budget-grant was originally made and not for any other purpose or object.

ACCOUNTS AND AUDIT

Scrutiny and audit of accounts

Section 58. Accounts to be kept

These shall be kept in such manner and in such form as may be prescribed by regulations the General Account of all receipts and expenditures of the Council.

Section 59. Audit

(1) The Chief Auditor shall conduct a monthly examination and audit of the accounts of the Council and shall report thereon to the Chairperson, who shall publish monthly an abstract of the receipts and expenditure of the month last proceeding signed by him and by the Chief Auditor.

(2) The Chairperson may also, from time to time and for such period, as he may think fit, conduct independently any examination and audit of the accounts of the Council.

(3) For the purpose of examination and audit of the accounts of the Council, the Chief Auditor shall have access to all the accounts of the Council and to all records and correspondence relating thereto.

(4) The Chief Auditor shall audit the accounts of the Council with the assistance of the officers and other employees subordinate to him.

(5) In the discharge of his functions under this section the Chief Auditor shall,-

(a) audit the accounts of expenditure from the revenue of the Council, expenditure on account of loan works and expenditure incurred out of special funds and shall ascertain whether moneys shown therein as have been disbursed were legally available for, and applicable to, the service or purpose to which they have been applied or charged, and whether the expenditure conforms to the authority which governs it;

(b) audit the accounts of debts, deposits, sinking funds, advances, suspense and remittance transactions of the Council and report upon those accounts and upon the results of verification of the balance relating thereto.

(6) The Chief Auditor shall examine and audit the statement of accounts relating to the commercial services conducted in any department of the Council including the trading, manufacturing and profit and loss accounts, and the balance-sheets where such accounts are maintained under the orders of the Council and shall certify and report upon these accounts.

(7) The Chief Auditor shall in consultation with the Chairperson and subject to any directions given by the Council determine the form and manner in which his reports on the accounts of the Council shall be prepared and shall have authority to call upon any officer of the Council to provide any information necessary for the preparation of these

reports.

(8) The Chief Auditor may make such queries and observations in relation to any of the accounts of the Council which he is required to audit and call for such vouchers, statements, returns and explanation in relation to such accounts as he may think fit.

(9) Every such query or observation as aforesaid shall be promptly taken into consideration by the officer or authority to whom it may be addressed and returned without delay with the necessary vouchers, documents or explanations to the Chief Auditor.

(10) The power of the Chief Auditor with regard to the disapproval of, and the procedure with regard to the settlement of objections to expenditure from the revenues of the Council shall be such as may be prescribed by the Chairperson in Consultation with Chief Auditor, and with the approval of the Council.

(11) If the Chief Auditor considers it desirable that the whole or any part of the audit applied to any accounts which he is required to audit shall be conducted in the offices in which those accounts originate he may require that those accounts, together with all books and documents having relation thereto, shall at all convenient times be made available in the said offices for inspection.

(12) The Chief Auditor shall have the power to require that any books or other documents relating to the accounts he is required to audit shall be sent for inspection by him:

Provided that if the documents are confidential, he shall be responsible for preventing disclosure of their contents.

(13) The Chief Auditor shall have authority to frame standing orders and to give directions on all matters relating to audit, and particularly, in respect of the method and the extent of audit to be applied and the raising and pursuing the objections.

(14) Expenditure sanctioned by the Chief Auditor shall be audited by an officer to be nominated by the Council.

(15) The Chief Auditor shall report to the Chairperson any material impropriety or irregularity which he may at any time observe in the expenditure or in the recovery of moneys due to the Council or in the accounts of the Council.

(16) The Chairperson shall cause to be laid before the Council every report made by the Chief Auditor to the Chairperson and every statement of the views of the Chief Auditor on any matter affecting the exercise and performance of the powers and duties assigned to him under this Act and the Council may take such action in regard to any of the matters as aforesaid as the Council may deem necessary.

(17) As soon as may be after the commencement of each year, the Chief Auditor shall deliver to the Council a report of the entire accounts of the Council for the previous year.

(18) The Chairperson shall cause the said report to be printed and shall forward as soon as may be printed copy thereof to each member of the Council.

(19) The Chairperson shall also forward without delay to the Government so many copies of the said report, as may be required by the Government with a brief statement of the action taken or proposed to be taken if any:

Provided that the Government may at any time appoint auditor for the purpose of making a special audit of the General Account of the New Delhi Municipal Fund and reporting thereon to the Government and the costs of such audit, as determined by the Government, shall be chargeable to the New Delhi Municipal Fund. The auditor so appointed may exercise any power which the Chief Auditor may exercise.

CHAPTER VIII TAXATION

Levy of taxes

Section 60. Taxes to be imposed by the Council under this Act

(1) The Council shall for the purposes of this Act, levy the following taxes, namely:-

(a) property tax;

(b) a tax on vehicles and animals;

(c) a theatre-tax;

(d) a tax on advertisements other than advertisements published in the newspapers;

(e) a duty on the transfer of property; and

(f) a tax on buildings payable along with the application for sanction of the building plan.

(2) In addition to the taxes specified in sub-section (1) the Council may, for the purposes of this Act; levy any of the following taxes, namely:-

(a) an education cess;

(b) a tax on professions, trades, callings and employments;

(c) a tax on the consumption, sale or supply of electricity;

(d) a betterment tax on the increase in urban land values caused by the execution of any development or improvement work;

(e) tolls.

(3) The taxes specified in sub-section (1) and sub-section (2) shall be levied, assessed and collected in accordance with the provisions of this Act and the bye-laws made thereunder.

Property tax

Section 61. Components of property tax

[1][Save as otherwise provided in this Act, the property tax shall be levied on lands and buildings in New Delhi and shall consist of the following, namely:--

(a) a building tax; and

(b) a vacant land tax.]

[1] Subs. by Act 8 of 2026, s. 2 and Sch. for s. 61 (w.e.f. 15-05-2026).

Section 61A. Building tax

[1][For any building, the building tax shall be equal to the rate of building tax as may be specified by the Council under section 61D multiplied by the annual value of the covered space of building determined under sub-section (1) of section 64F or section 64G.

[1] Ins. by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 61B. Rebate for certain categories

In the case of any self-occupied residential building, singly owned by such persons as may be specified by the bye-laws, the Council may specify a rebate on the building tax not exceeding thirty per cent. of the tax due on the covered space of such building up to one hundred square metres of the covered space:

Provided that such rebate shall not be available for more than one residential building within the jurisdiction of the New Delhi.

Section 61C. Vacant land tax

The vacant land tax in respect of any premises shall be equal to the rate of vacant land tax as may be specified by the Council under section 61E multiplied by the annual value of the vacant land determined under sub-section (3) of section 64F:

Provided that where there is any construction on the land and the area of plinth of such building is in excess of such percentage of the area of the plot as may be provided in the bye-laws, no vacant land tax shall be levied.

Section 61D. Rate of building tax

Save as otherwise provided in this Act, the base rate of property tax on buildings in New Delhi shall be between a minimum of ten per cent. and a maximum of twenty per cent. of the annual values of such buildings as may be specified by the Council from time to time:

Provided that the Council may, at any time, specify fixed rates between the minimum and the maximum rates of tax as aforesaid for different areas or for different groups of buildings in such areas:

Provided further that the Council may also introduce graduated rates of tax within the minimum and the maximum rates of tax as aforesaid on the basis of straight line system or any other system as may be specified by the Council.

Explanation.-For the purposes of this section and section 61E, "Straight line system" means the system in which the rate of tax is equivalent to the annual value of a property (X) divided by the minimum annual value (X1) and Y being added to the quotient so arrived, Y being the difference between the maximum rate of tax and the quotient of maximum (X2) and minimum (X1) annual values.

Section 61E. Rate of vacant land tax

Save as otherwise provided in this Act, the rate of tax on vacant lands in New Delhi shall be between a minimum of ten per cent. and a maximum of twenty per cent. of the annual value of such lands as may be specified by the Council from time to time:

Provided that the Council may, at any time, specify fixed rates between the minimum and the maximum rates of tax

as aforesaid for different areas or for different groups of vacant lands in such area:

Provided further that the Council may also introduce graduated rates of tax within the minimum and the maximum rates of tax as aforesaid on the basis of straight line system or any other system as may be specified by the Council.]

Section 62. Premises in respect of which property tax is to be levied

(1) Save as otherwise provided in this Act, the property tax shall be levied in respect of all lands and buildings in New Delhi except-

(a) lands and buildings or portions of lands and buildings exclusively occupied and used for public worship or by a society or body for a charitable purpose:

Provided that such society or body is supported wholly or in part by voluntary contributions, applies its profits, if any, or other income in promoting its objects and does not pay any dividend or bonus to its members.

[1][Explanation.-"charitable purpose" includes medical relief to, or education of, the poor;]

(b) lands and buildings vested in the Council, in respect of which the said tax, if levied, would under the provisions of this Act be leviable primarily on the Council;

(c) agricultural lands and buildings (other than dwelling houses).

(2) Lands and buildings or portions thereof shall not be deemed to be exclusively occupied and used for public worship or for a charitable purpose within the meaning of clause (a) of sub-section (1) if any trade or business is carried on in such lands and buildings or portions thereof or if in respect of such lands and buildings or portions thereof, any rent is derived.

(3) Where any portion of any land or building is exempt from the property tax by reason of its being exclusively occupied and used for public worship or for a charitable purpose such portion shall be deemed to be a separate property for the purpose of municipal taxation.

[1] Subs. by Act 8 of 2026, s. 2 and Sch. for Explanation (w.e.f. 15-05-2026).

Section 63. Unit of assessment

[1][(1) Every building and every vacant land shall be assessed as a single unit:

Provided that where portions of any building or vacant land are separately owned so as to be entirely independent and capable of separate enjoyment, notwithstanding the fact that the access to such separate portions is made through a common passage or a common stair case, as the case may be, such separately owned portions may be assessed separately.

(2) All buildings, to the extent they are contiguous or are within the same cartilage or are on the same foundation and are owned by the same owner or co-owners as an undivided property, shall be treated as one unit for the purpose of assessment under this Act:

Provided that if any such building is sub-divided into separate shares which are not entirely independent and capable of separate enjoyment, the Chairperson may, on application from the owners or the co-owners, apportion the valuation and assessment of such building among the co-owners according to the value of their respective shares, treating the entire building as a single unit.

(3) Each residential unit with its percentage of the undivided interest in the common areas and facilities, constructed or purchased and owned by, or under the control of, any housing co-operative society registered under any law regulating the co-operative housing for the time being in force, shall be assessed separately.

(4) Each apartment and its percentage of the undivided interest in the common areas and facilities in a building within the meaning of any law regulating apartment ownership for the time being in force, shall be assessed separately.

(5) If the ownership of any vacant land or building or any portion thereof is sub-divided into separate shares, or if more than one adjoining vacant land or building or portion thereof comes under one ownership by amalgamation, the Chairperson may, on an application from the owner or the co-owners, as the case may be, separate, or amalgamate, as the case may be, such vacant land or building or portion thereof so as to ensure conformity with the provisions of this section.

(6) Notwithstanding any assessment made in respect of any vacant lands or buildings before the date of commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, the Chairperson may, on his own or otherwise, amalgamate, or separate, or continue to assess, such vacant lands or buildings or portions thereof so as to ensure conformity with the provisions of this section.

(7) The Chairperson shall, upon an application made in this behalf by an owner, lessee, sub-lessee, or occupier of any vacant land or building and upon payment of such fee as may be provided in the bye-laws, furnish to such owner,

lessee, sub-lessee, or occupier, as the case may be, information regarding the apportionment of the property tax on such vacant land or building among the several occupiers of such vacant land or building for the current period of assessment or for any preceding period of assessment:

Provided that nothing in this sub-section shall prevent the Council from recovering the arrear dues on account of property tax from any such person, jointly or severally.]

[1] Subs. by s. 2 and Sch. ibid., for s. 63 (w.e.f. 15-05-2026).

Section 64. Charge for supply of water

(1) A charge shall be levied for the water supplied to any land or building by measurement at such rate as shall from time to time be prescribed by the Council in this behalf.

(2) The Council may prescribe such conditions as it may think fit regarding the use of the water and regarding the charges to be paid for water consumed whilst a meter is out of order or under repair:

Provided that no condition prescribed under this sub-section shall be inconsistent with this Act or with any bye-law made thereunder.

(3) Any sum payable by a person, who is charged for water supplied, and not paid when it becomes due shall be recoverable as an arrear of tax under this Act.

(4) In prescribing charges for water supplied by measurement under sub-section (1), it shall be lawful for the Council to prescribe different rates in respect of different classes of lands and buildings.

Section 64A. Constitution of Municipal Valuation Committee

[1][(1) The Council shall as soon as may be after the commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, and thereafter at the expiration of every third year, constitute a Municipal Committee by a public notice issued in such form and manner as may be specified by bye-laws.

(2) The Municipal Valuation Committee shall consist of-

(a) the Chairperson; and

(b) such other members, being not less than two and not more than six, as the Council may determine.

(3) The Chairperson and the other members of the Municipal Valuation Committee shall be appointed by the Council and the qualifications and experience requisite for their appointment, the manner of selection, and other terms and conditions of service including salaries and allowances, tenure of office shall be such as the Council may be rules determine.

(4) The salaries and allowances of the Chairperson and other members shall be paid from the Municipal Fund.

(5) The functions of the Municipal Valuation Committee shall be-

(a) to make recommendations to the Council on matters relating to classification of vacant lands and buildings in any area of New Delhi into areas and groups of lands and buildings and fixation of base value per unit area of vacant land or per unit area of covered space of building and factors for increase or decrease, or for no increase or decrease, thereof;

(b) to consider objections under section 64D, and to make recommendation thereon; and

(c) to perform such other functions as the Council may require.

[1] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 64B. Classification of vacant lands and buildings into areas and groups and specification of base unit area values therefor

(1) The Municipal Valuation Committee shall recommend the classification of the vacant lands and buildings in any area of New Delhi into areas and groups of lands and buildings after taking into account all or any of the following parameters, namely:-

(a) settlement pattern such as plotted housing, group housing, colony with flats only, urban village, unauthorised colony, resettlement colony, rural village and non-residential areas;

(b) availability of civic and social infrastructure;

(c) access to roads;

(d) access to district centres, local shopping centres, convenience shopping centres, and other markets;

(e) land prices as may, from time to time, be notified by the Government or the Delhi Development Authority;

(f) use-wise category of any building including residential building, business building, mercantile building, building

for recreation and sports purposes, industrial building, hazardous building and public purpose building including educational, medical and such other institutional building and farmhouse, as may be specified by the Council;

(g) in the case of buildings used for business, mercantile, recreation and sports, industrial, hazardous, storage or farmhouse purposes, the location of such buildings adjacent to such categories of streets, as may, subject to the provisions of sub-section (2), be specified by the Council;

(h) the types of buildings which may be classified as pucca, semi-pucca or katcha, as may be specified by the Council;

(i) the age-wise grouping of buildings as may be specified by the Council; and

(j) such other parameters as may be considered relevant by the Municipal Valuation Committee.

(2) The Municipal Valuation Committee shall recommend, group-wise,--

(a) the base unit area value of any owner-occupied vacant land, or any wholly owner-occupied building of pucca structure, constructed in the year 2025 or thereafter, and put to exclusive residential use; and

(b) the factor for increasing or decreasing, or for not increasing or decreasing, the base unit area values specified in clause (a), separately in respect of any or each of the parameters of type of area, use, age, type of structure and occupancy status of the vacant land or building, as the case may be, subject to a lower limit of zero point five and an upper limit of ten point zero.

Section 64C. Notification of classification of vacant lands and buildings into areas and groups and specification of base unit area values thereof and factors for increase or decrease

(1) The Council shall, having regard to the recommendations of the Municipal Valuation Committee, declare its intention to classify vacant lands and buildings in New Delhi area into such areas and groups of lands and buildings as the Council may, by public notice, specify, and shall also specify in such public notice the base value it proposes to specify per unit area of vacant land and per unit area of covered space of building within each such group and also the factors for increasing or decreasing, or for not increasing or decreasing, the base unit area values of vacant lands and buildings referred to in clause (b) of sub-section (2) of section 64B.

(2) The Council shall, on receipt of any representation from any group in any area affected by such classification of lands or buildings into any group or specification of the base unit area values of vacant lands or covered space of buildings within such groups, and the factors for increasing or decreasing, or for not increasing or decreasing, such unit area values of vacant lands or covered space of buildings, refer such representation to the Municipal Valuation Committee for reconsideration, and the decision of the Municipal Valuation Committee thereon shall, subject to the provisions of section 64K, be binding on the Council.

Section 64D. Objection to classification of vacant lands and buildings into areas and groups and fixation of base unit area values and factors for increasing or decreasing such base unit area values

(1) If any owner or occupier of any vacant land or building in any area in respect of which a public notice has been issued under section 64C has any objection to the manner of classification of any group or groups, or the base value per unit area of vacant land or the base value per unit area of covered space of building in any group, or the factors as specified in clause (b) of sub-section (2) of section 64B, he may submit to such officer of the Council as may be authorised by the Council in this behalf his objection in such form, and containing such particulars, as may be prescribed, within thirty days from the date of publication of such public notice, and such objection shall be considered by the Municipal Valuation Committee, after giving the person submitting the objection an opportunity of being heard.

(2) The procedure for hearing and disposal of objections shall be such, as may be prescribed.

(3) On the expiry of a period of thirty days from the date of publication of the public notice under section 64C and after considering the recommendation of the Municipal Valuation Committee on the objections, if any, in accordance with the provisions of this section the Council shall, by public notice, specify group-wise the base unit area value of vacant land and the base unit area value of covered space of building and the factors referred to in clause (b) of sub-section (2) of section 64B:

Provided that the Council shall not alter the unit area values recommended by the Municipal Valuation Committee without the approval of the Government.

Section 64E. Final base unit area values of vacant land and of covered space of building

(1) Subject to the provisions of section 115, the base unit area value of vacant land and the base unit area value of covered space of building in any group, as may be specified under sub-section (3) of section 64D, shall be final.

(2) The Council shall publish the final base unit area value of vacant land and the final base unit area value of covered space of building as aforesaid and the factors used for increasing or decreasing, or for not increasing or decreasing, the final base unit area values as aforesaid and shall make them available for inspection by any person free of charge and copies thereof also made available to any person on payment of cost.

Section 64F. Determination of annual value of covered space of building and of vacant land

(1) The annual value of any covered space of building in any area shall be the amount arrived at by multiplying the total area of such covered space of building by the final base unit area value of such covered space and the relevant factors as referred to in clause (b) of sub-section (2) of section 64B.

Explanation.-For the purposes of this Act "covered space", in relation to a building, shall mean the total floor area in all the floor thereof, including the thickness of walls, and shall include the spaces of covered verandah and courtyard, gangway, garage, common service area, stilt parking area, staircase, and balcony including any area projected beyond the plot boundary and such other space, as may be prescribed.

(2) The Council may require the total area of the covered space of building as aforesaid to be certified by an architect registered under the Architects Act, 1972 (20 of 1972), or any licensed architect, subject to such conditions as may be specified by the Council by a resolution in this behalf.

(3) The annual value of any vacant land in any area shall be the amount arrived at by multiplying the total area of such vacant land by the final base unit area value of such land and the relevant factors as referred to in clause (b) of sub-section (2) of section 64B.

(4) If, in the case of any vacant land or covered space of building or any portion thereof is subject to different final base unit area values or is not self-occupied, the annual value of each such portion shall be computed separately, and the sum of such annual values shall be the annual value for such vacant land or covered space of building, as the case may be.

Section 64G. Determination of annual value of building where land is exempted from property tax

Where any vacant land is exempted from property tax under any law for the time being in force, the annual value of any building erected on such land, which is in existence for more than one year and is not entitled to any exemption from such tax under this Act or any other law for the time being in force, shall be determined in accordance with the provisions of this Act.

Section 64H. Transitory provisions

(1) Notwithstanding anything contained in this Act, as amended by the Jan Vishwas (Amendment of Provisions) Act, 2026, a tax on vacant land or covered space of building or both, levied under this Act immediately before the commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, shall, on the commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, be deemed to be the tax on such vacant land or covered space of building or both, levied under this Act as amended by the Jan Vishwas (Amendment of Provisions) Act, 2026, and shall continue to be in force until such tax is revised in accordance with the provisions of this Act, as amended by the Jan Vishwas (Amendment of Provisions) Act, 2026.

(2) Notwithstanding anything contained in sub-section (1), where assessment has not been finalised in respect of a vacant land or covered space of a building or both, on the date of the commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, the assessee may have such land or building or both, as the case may be, assessed on the basis of the annual value.

(3) Notwithstanding anything contained in this Act or any other law for the time being in force, or in any judgment, any assessee, from whom tax dues are pending at the time of the commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026 may seek assessment on the basis of annual value for the period to which the dues pertain to:

Provided that the benefit of any such scheme shall only be applicable to those assessees who apply to be so assessed within a period of six months of the declaration of final classification of areas and base unit area values of the property:

Provided further that the assessee shall have to pay the dues as assessed under this Act as amended by the Jan Vishwas (Amendment of Provisions) Act, 2026, within a period of one year of the demand notice being served on him.

Section 64-I. Validity of base unit area values of vacant land and covered space of building

The base unit area value of vacant land and the base unit area value of covered space of building in respect of a specified group in an area shall remain in force for a period of three years:

Provided that till the revision of such base unit area values is completed, the existing base unit area values shall continue to be in force.

Section 64J. Indexation of unit area value

If, for any reason, the base unit area value of any vacant land, or the base unit area value of any covered space of building, in any group in any area has not been revised on the completion of a period of three years from the date on which such base unit area values were last determined, it shall be lawful for the Council to increase or decrease the base unit area values according to the changes in the consumer price index of urban non-manual workers or such other suitable index as the Council may determine till such revision is made by the Municipal Valuation Committee, and to realise the amount of property tax for such covered space of building or vacant land on the basis of the revised base unit area values.

Section 64K. Hardship and Anomaly Committee

(1) The Council shall, on the commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, appoint, for such period, not exceeding one year, as the Council may think fit, a Hardship and Anomaly Committee with a view to considering the cases of hardships or anomalies, if any, in respect of property tax imposed under the provisions of this Act as amended by the Jan Vishwas (Amendment of Provisions) Act, 2026.

(2) The Hardship and Anomaly Committee shall consist of a professional from areas of finance, taxation, law or municipal management, as the Chairperson and four other members of whom one shall be a member of the Council to be nominated by the Council, one shall be the Chairperson of the Municipal Valuation Committee and one member shall be nominated from among the members of the Municipal Valuation Committee and one shall be the Secretary of the Council.

(3) The Hardship and Anomaly Committee shall make recommendations to the Council on the petitions received from any group of affected persons regarding any hardship or anomaly arising out of the property tax imposed, and the decision of the Council on such recommendation shall be final.

(4) The procedure for the functioning of the Hardship and Anomaly Committee shall be such, as may be specified by the Council.]

Section 65. Taxation of Union properties

(1) Notwithstanding anything contained in the foregoing provisions of this Chapter, lands and buildings being properties of the Union shall be exempt from the property tax specified in section 61:

Provided that nothing in this sub-section shall prevent the Council from levying property tax on such lands and buildings to which immediately before the 26th January, 1950, they were liable or treated as liable, so long as that tax continues to be levied by the Council on other lands and buildings:

[1][Provided further that the Council may levy and collect service charges from properties of the Union of India at the rate of seventy-five per cent. of property tax leviable, for rendering municipal services.]

(2) Where the possession of any land or building, being property of the Union, has been delivered in pursuance of section 20 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) to a displaced person, or any association of displaced persons, whether incorporated or not, or to any other person [hereafter in this sub-section and the proviso to sub-section (1) of section 66 referred to as the transferee], the property tax specified in section 61 shall be leviable and shall be deemed to have been leviable in respect of such land or building with effect from the 7th day of April, 1958 or the date on which possession thereof has been delivered to the transferee, whichever is later, and such property tax shall, notwithstanding anything contained in any other provision of this Act, be recoverable with effect from that day or date, as the case may be.

[2][(3) Property owned by a Government company incorporated under the Companies Act, 2013 (18 of 2013), or a society formed under the Societies Registration Act, 1860 (21 of 1860), functioning under the administrative control of the Central Government or any State Government, or any Union territory or a statutory or autonomous corporation constituted by an Act of Parliament or by an Act of any State Legislature, which has a corporate personality of its own, shall not be deemed to be the property of the Union.]

[1] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

[2] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 66. Incidence of property taxes

[1][(1) The property tax on any land or building shall be primarily leviable upon the owner thereof.

(2) The liability of the several owners of any land or building constituting a single unit of assessment, which is, or purports to be, severally owned in parts including flats or rooms, for payment of property tax or any instalment thereof, payable during the period of such ownership, shall be joint and several:

Provided that the Chairperson may apportion the amount of property tax on such land or building among several co-owners:

Provided further that in any case where the Chairperson is, for reasons to be recorded in writing, satisfied that the owner is not traceable, the occupier of such land or building for the time being shall be liable for payment of the property tax and shall also be entitled to the rebate, if admissible.

(3) In the case of any land or building which is not self-occupied and where the owner is constrained by any law, order of the Government or order of a court from recovering the tax due, such tax shall be recovered from the occupier or occupiers, as the case may be:

Provided that the owner shall continue to pay such amount of tax as he was liable to pay before the date of coming into force of the Jan Vishwas (Amendment of Provisions) Act, 2026 and only the balance amount, if any, shall be recovered from the occupier.

(4) The property tax on any land or building, which is the property of the Council and the possession of which has been delivered under any agreement or licensing arrangement, shall be leviable upon the transferee or the licensee, as the case may be.

(5) If any land has been let to a tenant or lessee for a term exceeding one year and such tenant has built upon such land, the property tax assessed in respect of such land and the building erected thereon shall be payable by such tenant or lessee, whether the land and the building are in the occupation of such tenant or lessee or a sub-tenant or sub-lessee of such tenant or lessee, as the case may be.

Explanation.-For the purposes of this section, "tenant" shall include any person deriving title to the land or the building erected upon such land, from the tenant, whether by operation of law or by transfer inter vivos.]

[1] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 67. Apportionment of liability for property tax when the premises are let or sub-let

[Apportionment of liability for property tax when the premises are let or sub-let.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 68. Recovery of property tax from occupiers

(1) On the failure to recover any sum due on account of property tax in respect of any land or building from the person primarily liable therefor under section 66, the Chairperson shall recover from every occupier of such land or building by attachment, in accordance with section 108 of the rent payable by such occupier, a portion of the total sum due which bears, as nearly as may be, the same proportion to that sum as the rent annually payable by such occupier bears to the total amount of rent annually payable in respect of the whole of the land or building.

(2) An occupier from whom any sum is recovered under sub-section (1) shall be entitled to be reimbursed by the person primarily liable for the payment, and may in addition to having recourse to other remedies that may be open to him, deduct the amount so recovered from the amount of any rent from time to time becoming due from him to such person.

Section 69. Property tax a first charge on premises on which it is assessed

Property tax due under this Act in respect of any land or building shall, subject to the prior payment of the land revenue, if any, due to the Council or Government or Central Government thereon, be a first charge-

(a) in the case of any land or building held immediately from the Council or Government or Central Government, upon the interest in such land or building of the person liable for such tax and upon the goods and other movable properties, if any, found within or upon such land or building and belonging to such person; and

(b) in the case of any other land or building, upon such land or building and upon the goods and other movable properties, if any, found within or upon such land or building and belonging to the person liable for such tax.

Explanation.-The term "property tax" in this section shall be deemed to include the costs on recovery of property tax and the penalty [1][and any other sum recoverable as arrears of property tax], if any, payable as specified in the bye-laws.

[1] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 69A. Submission of returns

[1][(1) The Chairperson shall, with a view to determining the annual values of vacant land and covered space of building in any area and the person primarily liable for the payment of property tax, by public notice, or by notice, in writing, require the owner and the occupier of such vacant land or covered space of building or any portion thereof, including such owner or the person computing the tax due under the provisions of section 69B, to furnish a return in such form, as may be specified by the bye-laws and within such time, not being less than thirty days from the date of publication of such notice, as may be specified therein, containing the following particulars, namely:-

(a) the name of the owner and the occupier;

(b) the number of the area, the name of the area, and the number and the sub-number of the premises of such vacant land or covered space of building, as the case may be;

(c) whether the building is pucca, semi-pucca or katcha;

(d) year of completion of construction of the building, or year or years of part construction thereof, as the case may be;

(e) the use with reference to the provisions of clause (f) of sub-section (1) of section 64B to which such vacant land or covered space of building is put or intended to be put;

(f) the area of the vacant land and the covered space of the building with break-up of the area under various uses;

(g) whether wholly owner-occupied or wholly tenanted, or partly owner-occupied and partly tenanted, and the areas thereof; and

(h) such other particulars as may be specified by the bye-laws.

(2) Every owner and every occupier as aforesaid shall be bound to comply with such notice and to furnish a return with a declaration that the statement made therein is correct to the best of knowledge and belief of such owner and occupier.

(3) Whoever omits to comply with such requisition, shall in addition to any penalty to which he may be liable, be precluded from objecting to any assessment made by the Chairperson in respect of such land or building.

(4) The Chairperson or any person subordinate to him and duly authorised by him in this behalf, in writing, or any licensed architect, may, with or without giving any previous notice to the owner or the occupier of any land or building, enter upon, and make any inspection or survey, and take measurement of such land or building with a view to verifying the statement made in the return for such land or building or for collecting the particulars referred to in sub-section (1) in respect of such land or building:

Provided that no such entry shall be made except between the hours of sunrise and sunset.

[1] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 69B. Self-assessment and submission of return

(1) After the date of commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, any owner of any vacant land or covered space of building or any other person liable to pay the property tax or any occupier in the absence of such owner or person, shall file a return of self-assessment within sixty days from such commencement.

(2) Such owner or other person or occupier, as the case may be, shall, thereafter, file the annual return only in those cases where there is a change in the position as compared to the previous return, within a period of three months after the end of the financial year in which the change in position has occurred.

(3) Any owner of any covered space of building or vacant land or any other person liable to pay the property tax, or any occupier in the absence of such owner or person shall compute the tax due under section 61A or section 61C, as the case may be, and pay the same in equated quarterly instalment by the 30th day of June, 30th day of September, 31st day of December and 31st day of March of the financial year for which the tax is to be paid and in the event of tax being paid in one lump sum for the said financial year by the 30th day of June, rebate of such percentage not exceeding fifteen per cent., as may be notified by the Council, of the total tax amount due shall be allowed.

(4) Any owner of any vacant land or covered space of building or any other person liable to pay the property tax or any occupier in the absence of such owner or person, who computes such property tax under this section, shall, on such computation pay the property tax on such vacant land or covered space of building, as the case may be, together with interest, if any, payable under the provisions of this Act on-

(a) any new building or existing building which has not been assessed; or

(b) any existing building which has been redeveloped or substantially altered or improved after the last assessment, but has not been subjected to revision of assessment consequent upon such redevelopment or alteration or

improvement as the case may be.

(5) Such owner or person, as the case may be, shall furnish to the Chairperson a return of self-assessment in such form, and in such manner, as may be specified in the bye-laws and every such return shall be accompanied by proof of payment of property tax and interest, if any.

(6) In the case of any new building for which an occupancy certificate has been granted, or which has been occupied, after the date of commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, such payment shall be made, and such return shall be furnished, within a period of thirty days of the expiry of the quarter in which such occupancy certificate is granted or such building is occupied, whichever is earlier.

Explanation.-For the removal of doubts, it is hereby declared that the occupancy certificate may be provisional or final and may be for the whole or any part of the building and occupancy may be of the whole or any part of the building.

(7) After the determination of the annual value of vacant land or covered space of building under section 64F or section 64G or revision thereof under section 69C has been made, any amount paid on self-assessment under this section shall be deemed to have been paid on account of such determination under this Act as amended by the Jan Vishwas (Amendment of Provisions) Act, 2026.

(8) If any owner or other person as aforesaid, liable to pay the property tax under this Act, fails to pay the same together with interest thereon, if any, in accordance with the provisions of this section, he shall, without prejudice to any other action to which he may be subject, be deemed to be a defaulter in respect of such property tax, or interest, or both, remaining unpaid, and all the provisions of this Act applicable to such defaulter shall apply to him accordingly.

(9) If, after the assessment of the annual value of any land or covered space, of building is finally made under this Act, the payment on self-assessment under this section is found to be less than that of the amount payable by the assessee, the assessee shall pay the difference within a period of two months from the date of final assessment, failing which recovery shall be made in accordance with the provisions of this Act, but, after the final assessment, if it is found that the assessee has paid excess amount, such excess amount shall be refunded:

Provided that in any case where the amount of tax determined in the final assessment is more than the amount of tax paid under self-assessment, and the difference in the amount of tax is, in the opinion of the Chairperson, the result of wilful suppression of facts as defined in the bye-laws, the Chairperson may levy a penalty not exceeding thirty per cent. of such difference in the tax besides the interest thereon:

Provided further that the levy of such penalty shall be in addition to any other punishment provided for under this Act:

Provided also that the procedure for sending of notice, hearing of objection and determination of tax and penalties shall be such as may be specified in the bye-laws.

(10) Where no notice is sent by the Chairperson under section 69C within a period of twelve months after the year to which such self-assessment relates, such self-assessment shall be regarded as assessment made under this Act:

Provided that in any case, where there has been wilful suppression of facts, penalty up to thirty per cent. of the tax due may be imposed:

Provided further that the procedure for sending of notice, hearing of objection and determination of tax and penalties shall be such as may be specified in the bye-laws.

Section 69C. Revision of assessment

(1) The Chairperson may cause any revision to be made at any time in the annual value of any vacant land or covered space of building or any portion thereof in the following cases, namely:--

(i) where the nature of use changes; or

(ii) where the nature of occupancy changes; or

(iii) where a new building is erected or an existing building is redeveloped or substantially altered or improved during the period the annual value remains in force; or

(iv) where, on an application made, in writing, by the owner or the person liable to pay the property tax, it is established that during the period the annual value is in force, such value has been reduced by reason of any substantial demolition or has suffered depreciation on account of any accident or any calamity proved to the satisfaction of the Chairperson to have been beyond the control of such owner or person; or

(v) where any vacant land or covered space of building or portion thereof is acquired by purchase or otherwise by the Central Government or the Government or the Council; or

(vi) where any vacant land or covered space of building or portion thereof is sold or otherwise transferred to the Central Government or the Government or the Council; or

(vii) where, upon the acquisition or transfer of a part of any vacant land or covered space of building, a residual portion remains; or

(viii) where it becomes necessary so to do for any other reason to be recorded in writing.

(2) Before making any revision of the annual value under sub-section (1), the Chairperson shall give any owner, person or occupier as the case may be, affected by such revision, notice of not less than thirty days that he proposes to make the revision and consider any objections which may be made by such owner, person or occupier.

(3) Notwithstanding anything contained in sub-section (1), where the annual value of any vacant land or covered space of building-

(i) has not, for any reason, been determined under this Act, the annual value of such vacant land or covered space of building, as the case may be, may be determined by the Chairperson at any time during the currency of the period of assessment in respect of such vacant land or covered space of building under section 64F or section 64G, as the case may be; or

(ii) has been cancelled on the ground of irregularity, the annual value of such vacant land or covered space of building, as the case may be, may be determined by the Chairperson at any time after such cancellation and such annual value of such vacant land or covered space of building, as the case may be, shall remain in force until a fresh valuation or revision is made.

(4) Any revision of annual value of any vacant land or covered space of building or any portion thereof under this section shall be made with reference to the group into which such vacant land or covered space of building or part thereof is classified under section 64B, and the annual value fixed per unit area of such vacant land or covered space of building for that group shall be applicable.

(5) Notwithstanding anything contained in the foregoing provisions of this section, no revision of the annual value of any vacant land or covered space of building under this section shall be made without giving the owner or the occupier of such vacant land or covered space of building a reasonable opportunity of being heard.

(6) Where any revision of annual value of any vacant land or covered space of building is made under this section, the order of such revision shall be communicated to the owner or the occupier of such vacant land or covered space of building within a period of ten days from the date of the order.

(7) An appeal shall lie against an order under sub-section (6) to an officer appointed by the Government, if preferred by the owner, person or the occupier of such vacant land or covered space of building within forty-five days from the date of the receipt of the order.

Section 69D. Power of Chairperson regarding assessment

The Chairperson may, at any time-

(a) make, suo motu, an assessment in any case where a return on the basis of self-assessment has not been filed;

(b) revise any assessment where the information furnished in the return of self-assessment is found to be incorrect;

(c) reopen any assessment even after the period of one year and not exceeding seven years in any case where it has been detected that there is wilful suppression of information or misclassification or misrepresentation or collusion or fraud or forgery in respect of assessment or any connection thereof;

(d) impose a penalty not exceeding thirty per cent. of the difference in tax arising from non-filing of a return in time, giving wrong information or misclassification or misrepresentation or collusion or fraud or forgery in respect of assessment or any connection thereof; and

(e) suo motu examine or review any assessment made under this Act for the purposes of satisfying himself as to the legality or propriety of such decision or order,

he may order or direct such assessing authority to reassess the order or decision on such points as may be specified by him in the order.]

Section 70. Assessment list

[1][(1) The Council shall maintain a Municipal Assessment Book, also known as assessment list, in such form, and in such manner, as may be specified in the bye-laws and shall make it available for inspection, free of charge, through electronic media or otherwise as may be specified by the bye-laws:

Provided that the Municipal Assessment Book shall not be kept pending for any case for which any objection or appeal has been filed:

Provided further that subject to such alterations as may be made thereafter in the assessment list under this Act, the entries in the assessment list shall be accepted as conclusive evidence for the purpose of assessing any tax levied

under this Act, of the annual value of all lands and buildings to which such entries respectively relate.

(2) The Chairperson may, at any time, amend the Municipal Assessment Book for such reasons as may be specified in the bye-laws:

Provided that no such amendment shall be made without giving any person affected a reasonable opportunity of being heard.]

[1] Subs. by Act 8 of 2026, for s. 70 (w.e.f. 15-05-2026).

Section 71. Evidential value of assessment list

[Evidential value of assessment list.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 72. Amendment of assessment list

[Amendment of assessment list.] Omitted by s. 2 and Sch. ibid., (w.e.f. 15-05-2026).

Section 72A. Assignment of property identification code

[1][(1) The Council shall cause to be maintained a register wherein the property identification code numbers by which any premises or part thereof shall be known, shall be recorded in respect of each such premises in the municipal area and such numbers shall be fixed in such manner as may be specified in the bye-laws.

(2) When the property identification code numbers in respect of premises in any area of the Council have been determined, the Chairperson shall notify the same in such manner as may be specified in the bye-laws.

(3) After the property identification code numbers in respect of premises in any area have been notified under sub-section (2), any person required under this Act or any other law to make any application to the Council for permission, licence or for payment of any tax or for payment of any dues for any service and for such other purposes as may be prescribed, shall at the time of making such application, mention in the application, the property identification code number determined under sub-section (1).]

[1] Ins. by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 73. Preparation of new assessment list

[Preparation of new assessment list.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 74. Notice of transfers

(1) Whenever the title of any person primarily liable for the payment of property tax on any land or building is transferred, the person whose title is transferred and the person to whom the same is transferred shall within three months after the execution of the instrument of transfer or after registration, if it is registered, or after the transfer is effected, if no instrument is executed, give notice of such transfer in writing to the Chairperson.

(2) In the event of the death of any person primarily liable as aforesaid, the person on whom the title of the deceased devolves, shall give notice of such devolution to the Chairperson within six months from the date of the death of the deceased.

(3) The notice to be given under this section shall be in such form as may be determined by bye-laws made under this Act, and the transferee or the other person on whom the title devolves shall, if so required, be bound to produce before the Chairperson any document evidencing the transfer or devolution.

(4) Every person who makes a transfer as aforesaid without giving such notice to the Chairperson shall, in addition to any penalty to which he may be subjected under the provisions of this Act, continue to be liable for the payment of property tax from time to time payable in respect of the land or building transferred until he gives such notice or until the transfer has been recorded in the Chairperson's book, but nothing in this section shall be held to affect the liability of the transferee for the payment of the said tax.

(5) The Chairperson shall record every transfer or devolution of title notified to him under this section in his books and in the assessment list.

(6) On a written request by the Chairperson, the registrar or sub-registrar of New Delhi appointed under the Registration Act, 1908 (16 of 1908), shall furnish such particulars regarding the registration of instruments of transfer of immovable properties in New Delhi, as the Chairperson may from time to time require.

(7) Such information shall be furnished as soon as may be after the registration of an instrument of transfer is effected or, if the Chairperson so requests, by periodical returns at such intervals as the Chairperson may fix.

Section 75. Notice of erection of building, etc

When any new building is erected or when any building is rebuilt or enlarged or when any building which has been vacant is reoccupied, the person primarily liable for the property tax assessed on the building shall give notice thereof in writing to the Chairperson within fifteen days from the date of its completion or occupation whichever first occurs, or as the case may be, from the date of its enlargement or reoccupation; and property tax shall be assessable on the building from the said date.

Section 76. Notice of demolition or removal of buildings

(1) When any building or any portion of a building, which is liable to the payment of property tax is demolished or removed, otherwise than by order of the Chairperson, the person primarily liable for the payment of the said tax shall give notice thereof in writing to the Chairperson.

(2) Until such notice is given, the person aforesaid shall continue to be liable to the payment of such property tax as he would have been liable to pay in respect of such building if the same or any portion thereof had not been demolished or removed.

Section 77. Power of Chairperson to call for information and returns and to enter and inspect premises

[Power of Chairperson to call for information and returns and to enter and inspect premises.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 78. Premises owned by, or let to two or more persons in severalty to be ordinarily assessed as one property

[Premises owned by, or let to two or more persons in severalty to be ordinarily assessed as one property.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 79. Assessment in case of amalgamation of premises

[Assessment in case of amalgamation of premises.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 80. Power of Chairperson to assess separately outhouses and portions of buildings

[Power of Chairperson to assess separately outhouses and portions of buildings.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 81. Power of Chairperson to employ valuers

(1) The Chairperson may, if he thinks fit, employ one or more competent persons to give advice or assistance in connection with the valuation of any land or building, and any person so employed shall have power, at all reasonable times and after giving due notice, and on production, if so required, of authorisation in writing in that behalf from the Chairperson, to enter on, survey and value any land or building which the Chairperson may direct him to survey and value.

(2) No person shall willfully delay or obstruct any such person in the exercise of any of his powers under this section.

Tax on vehicles and animals

Section 82. Tax on certain vehicles and animals and rates thereof

Save as otherwise provided in this Act, a tax at the rates not exceeding those specified in the Second Schedule shall be levied on vehicles and animals of the descriptions specified in that Schedule which are kept within New Delhi.

Section 83. The tax on whom leviable

The tax on vehicles or animals shall be leviable upon the owner of, or the person having possession or control of, such vehicles or animals in respect of which the tax is leviable:

Provided that in the case of an animal generally used or employed in drawing any vehicle, the tax in respect of such animal shall be leviable upon the owner of, or the person having possession or control of, such vehicle, whether or not such animal is owned by such owner or person:

Provided further that the tax under this section shall not be levied in respect of-

(a) vehicles and animals belonging to the Central Government or to the Government or to the Council used or intended to be used solely for public purposes;

(b) vehicles intended exclusively for the conveyance free of charge, of the injured, the sick or the dead;

(c) children's perambulators or tricycles;

(d) a cow or a she-buffalo kept for milking for domestic use if the cow or the she-buffalo is the only cow or she-buffalo kept by the owner or the person having possession or control thereof for such milking and is registered in accordance with bye-laws made in this behalf, so, however, that-

(i) where more cows or, as the case may be, more she-buffaloes than one are kept by several such owners or persons constituting a family, the tax under this section shall be levied in respect of all such cows or all such she-buffaloes;

(ii) where a cow and also a she-buffalo are kept by the owner or the person having the possession or control thereof or by several such owners or persons constituting a family, the tax under this section shall be levied in respect of the cow and the she-buffalo.

Section 84. Tax when payable

The tax on vehicles or animals shall be payable in advance in such number of instalments and in such manner as may be determined by bye-laws made in this behalf.

Section 85. Power of Chairperson to compound with livery stable keeper, etc., for tax

The Chairperson may with the approval of the Council, compound for any period not exceeding one year at a time, with any livery stable keeper or other person keeping vehicles for hire or animals for sale or hire, for a lump sum to be paid in respect of the vehicles or animals so kept in lieu of the taxes leviable under section 82 which such livery stable keeper or other person would otherwise be liable to pay.

Theatre-tax

Section 86. Theatre-tax

Save as otherwise provided in this Act, there shall be levied a tax (referred to in this Act as theatre-tax) in respect of every cinema, theatre, circus, carnival and other place of entertainment to which persons are ordinarily admitted on payment for performances or shows held or conducted thereat, at such rates not exceeding those specified in the Third Schedule as the Council may determine:

Provided that the theatre-tax shall not be levied in respect of any performance or show if the Chairperson is satisfied-

(a) that the entire receipts from such performance or show will be devoted to philanthropic, religious or charitable purposes; or

(b) that the performance or show is of a wholly educational character; or

(c) that the performance or show is provided for partly educational or partly scientific purposes by a society not conducted or established for profit.

Section 87. Liability to pay theatre-tax

Every proprietor, manager, or person-in-charge of a theatre, cinema, circus, carnival or other place of entertainment shall be liable to pay the theatre-tax and shall pay the same in advance before the commencement of the performances or shows:

Provided that the Chairperson may, with the approval of the Council, compound for any series of performances or shows or for any period not exceeding one month, with such proprietor, manager or person for a lump sum to be paid for such series of performances or shows or for the performances or shows held or conducted during such period.

Tax on advertisements other than advertisements published in the newspapers

Section 88. Tax on advertisements

[Tax on advertisements.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 89. Prohibition of advertisements without written permission of the Chairperson

(1) No advertisement shall be erected, exhibited, fixed or retained upon or over any land, building, wall, hoarding, frame, post or structure or upon or in any vehicle or shall be displayed in any manner whatsoever in any place within New Delhi without the written permission of the Chairperson granted in accordance with bye-laws made under this Act.

(2) The Chairperson shall not grant such permission if-

(a) the advertisement contravenes any bye-law made under this Act; or

(b) the tax, if any, due in respect of the advertisement has not been paid.

(3) Subject to the provisions of sub-section (2), in the case of an advertisement liable to the advertisement tax, the Chairperson shall grant permission for the period to which the payment of the tax relates and no fee shall be charged in respect of such permission.

Section 90. Permission of the Chairperson to become void in certain cases

The permission granted under section 89 shall become void in the following cases, namely:-

(a) if the advertisement contravenes any bye-law made under this Act;

(b) if any material change is made in the advertisement or any part thereof without the previous permission of the Chairperson;

(c) if the advertisement or any part thereof falls otherwise than through accident;

(d) if any addition or alteration is made to, or in the building, wall, hoarding, frame, post or structure upon or over which the advertisement is erected, exhibited, fixed or retained if such addition or alteration involves the disturbance of the advertisement or any part thereof; and

(e) if the building, wall, hoarding, frame, post or structure over which the advertisement is erected, exhibited, fixed or retained is demolished or destroyed.

Section 91. Presumption in case of contravention

Where any advertisement has been erected, exhibited, fixed or retained upon or over any land, building, wall, hoarding, frame, post or structure or upon or in any vehicle or displayed to public view from a public street or public place in contravention of the provisions of this Act or any bye-laws made thereunder, it shall be presumed, unless and until contrary is proved, that the contravention has been committed by the person or the persons on whose behalf the advertisement purports to be or the agents of such person or persons.

Section 92. Power of Chairperson in case of contravention

If any advertisement is erected, exhibited, fixed or retained in contravention of the provisions of section 89, the Chairperson may require the owner or occupier of the land, building, wall, hoarding, frame, post or structure or vehicle upon, or over or in which the same is erected, exhibited, fixed or retained, to take down or remove such advertisement or may enter any land, building, property or vehicle and have the advertisement dismantled, taken down or removed or spoiled, defaced or screened.

Duty on transfer of property

Section 93. Duty on transfer of property and method of assessment thereto

(1) Save as otherwise provided in this Act, the Council shall levy a duty on transfer of immovable property situated within the limits of New Delhi in accordance with the provisions hereafter in this section contained.

(2) The said duty shall be levied-

(a) in the form of a surcharge on the duty imposed by the Stamp Act, 1899 (2 of 1899), as in force for the time being in the National Capital Territory of Delhi, on every instrument of the description specified below, and

(b) at such rate as may be determined by the Council not exceeding five per cent. on the amount specified below against such instruments:

Description of instrument	Amount on which duty should be levied
(i) Sale of immovable property.	The amount of value of the consideration for the sale, as set forth in the instrument.
(ii) Exchange of immovable property.	The value of the property of the greater value, as set forth in the instrument.
(iii) Gift of immovable property.	The value of the property as set forth in the instrument.
(iv) Mortgage with possession of immovable property.	The amount secured by the mortgage as set forth in the instrument.
(v) Lease in perpetuity of immovable property.	The amount equal to one sixth of the whole amount or value of the rent which would be paid or delivered in respect of the first fifty years of the lease as set forth in the instrument.

Section 94. Provisions applicable on the introduction of transfer duty

On the introduction of the duty on transfers of property-

(a) section 27 of the Stamp Act, 1899 (2 of 1899), as in force in the National Capital Territory of Delhi shall be read as if it specifically required the particulars to be set forth separately in respect of property situated within and

without New Delhi;

(b) section 64 of the said Act shall be read as if it referred to the Council as well as the Government of National Capital Territory of Delhi.

Tax on buildings payable along with the application for sanction of building plans

Section 95. Tax on building applications

(1) Save as otherwise provided in this Act the Council shall levy a tax on buildings at such rates not exceeding those specified in the Fifth Schedule as the Council shall determine.

(2) The tax shall be leviable on every person who makes an application to the Chairperson for the sanction of building plan and shall be payable along with the same.

Other taxes

Section 96. Imposition of other taxes

(1) The Council may, at a meeting, pass a resolution for the levy of any of the taxes specified in sub-section (2) of section 60, defining the maximum rate of the tax to be levied, the class or classes of persons or the description or descriptions of articles and properties to be taxed, the system of assessment to be adopted and the exemptions, if any, to be granted.

(2) Any resolution passed under sub-section (1) shall be submitted to the Central Government for its sanction, and if sanctioned by that Government, shall come into force on and from such date as may be specified in the order of sanction.

(3) After a resolution has come into force under sub-section (2), the Council may, subject to the maximum rate, pass a second resolution determining the actual rates at which the tax shall be leviable and the tax shall come into force on the first day of the quarter of the year next following the date on which such second resolution is passed.

(4) After a tax has been levied in accordance with foregoing provisions of this section, the provisions of sub-section (2) of section 55, shall apply in relation to such tax as they apply in relation to any tax imposed under sub-section (1) of section 60.

Supplementary taxation

Section 97. Supplementary taxation

Whenever the Council decides to have recourse to supplementary taxation under sub-section (2) of section 57 in any year, it shall do so by increasing from such date as the Council may determine, the rates at which any tax leviable under this Act is being levied, but every such increase shall be made subject to the maximum rate and any other limitation specified in respect of such tax.

Payment and recovery of taxes

Section 98. Time and manner of payment of taxes

[1][Save as otherwise provided in this Act, any tax levied under this Act shall be payable on such dates, in such number of instalments and in such manner as may be determined by bye-laws made in this behalf.

Provided that if, on the commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, there is any increase in the amount of property tax which was being paid or was payable immediately before such commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, the difference in the amount of property tax in excess of fifty per cent. above the tax being paid or being payable, shall be given effect to by stages covering a period of three years by dividing the amount of such increase in the property tax by three, the quotient being added to the amount of property tax which was payable immediately before the date of commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, and to the amount of property tax which shall be payable respectively in each of the remaining two successive years after such addition.

(2) Where any person liable for the payment of property tax under this Act has failed to pay--

(a) such tax by the date as specified in sub-section (3) of section 69B; or

(b) the arrear of tax, interest and penalty, if any, and any other sum in the nature of tax up to the 31st March of the preceding financial year,

he shall be liable to pay simple interest at the rate of one and a half per cent. for every month or part of the month comprising the period from the expiry of the due date, till the amount is actually paid.

[1] Subs. by Act 8 of 2026, s. 2 and Sch. for s. 98 (w.e.f. 15-05-2026).

Section 98A. Punishment for wilful default in payment of property tax, furnishing wrong information in return of assessment, etc

Whoever wilfully makes default in the payment of, or wilfully attempts in any manner whatsoever to evade, any tax, including amount of interest due and penalty levied under this Act, or furnishes any wrong information in the return of assessment, or wilfully fails to furnish in due time the return of property tax, or does not furnish information as asked for under any provision of this Act, he shall, without prejudice to any other penal provision under this Act to which he may be subject, be liable for penalty equal to fifty per cent. of the amount of tax so evaded or sought to be evaded:

Provided that the penalties so imposed shall be in addition to, and not in derogation of, any liability in respect of the payment of tax which the defaulter may have incurred.]

Section 99. Presentation of bill

(1) When any tax has become due, the Chairperson shall cause to be presented to the person liable for the payment thereof, a bill for the amount due:

Provided that no such bill shall be necessary in the case of-

(a) a tax on vehicles and animals; [1][and]

(b) a theatre-tax; [2]***

[3]* * * * *

(2) Every such bill shall specify the particulars of the tax and the period for which the charge is made.

[1] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

[2] The word "and" omitted by s. 2 and Sch., ibid. (w.e.f. 15-05-2026).

[3] Cl. (c) omitted by s. 2 and Sch., ibid. (w.e.f. 15-05-2026).

Section 100. Notice of demand and notice fee

(1) If the amount of the tax for which a bill has been presented under section 99 is not paid within fifteen days from the presentation thereof, or if the tax on vehicles and animals or the theatre-tax or the tax on advertisements is not paid after it has become due, the Chairperson may cause to be served upon the person liable for the payment of the same a notice of demand in the form set forth in the Sixth Schedule.

(2) For every notice of demand which the Chairperson causes to be served on any person under this section, a fee of such amount not exceeding five rupees as may be determined by bye-laws made in this behalf, shall be payable by the said person and shall be included in the cost of recovery.

Section 101. Penalty in case of default of payment of taxes

(1) If the person liable for the payment of any tax does not, within thirty days of the service of the notice of demand under section 100 pay the sum due and if no appeal is preferred against such tax, he shall be deemed to be in default.

(2) When the person liable for the payment of any tax is deemed to be in default under sub-section (1), such sum not exceeding [1][thirty] per cent. of the amount of the tax as may be determined by the Chairperson, may be recovered from him by way of penalty, in addition to [2][the amount of tax, notice fee and any interest that the defaulter may be liable to pay].

(3) The amount due as penalty under sub-section (2) shall be recoverable as an arrear of tax under this Act.

[1] Subs. by Act 8 of 2026, s. 2 and Sch. ibid., for "twenty" (w.e.f. 15-05-2026).

[2] Subs. by s. 2 and Sch. ibid., for certain words (w.e.f. 15-05-2026).

Section 102. Recovery of tax

(1) If the person liable for the payment of the tax does not, within thirty days from the service of the notice of demand, pay the amount due, such sum together with all costs and the penalty provided for in section 101 may be recovered under a warrant, issued in the form set forth in the Seventh Schedule, by distress and sale of the movable property or the attachment and sale of the immovable property, of the defaulter:

Provided that the Chairperson shall not recover any sum the liability for which has been remitted on appeal under the provisions of this Act.

(2) Every warrant issued under this section shall be signed by the Chairperson.

Section 102A. Recovery of property tax

[1][If, after the date of commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, any owner of any vacant land or covered space of building or any other person liable to pay the property tax or any occupier, in the absence of any such owner or person, does not file a return of self-assessment within a period of sixty days of the commencement of the Jan Vishwas (Amendment of Provisions) Act, 2026, or if the person liable for the payment of property tax does not pay the amount due within the due date, such sum together with all costs and penalty may be recovered under a warrant, issued in the form set forth in the Seventh Schedule, by distress and sale of the movable property, or the attachment and sealing and sale of the immovable property, of the defaulter:

Provided that the Chairperson shall not recover any sum the liability for which has been remitted on appeal under the provisions of this Act.]

[1] Ins. by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 103. Distress

(1) It shall be lawful for any officer or other employees of the Council to whom a warrant issued under section 102 is addressed to distrain, wherever it may be found in any place in New Delhi; any movable property, or any standing timber, growing crops or grass belonging to the person therein named as defaulter, subject to the following conditions, exceptions and exemptions, namely:-

(a) the following property shall not be distrained:-

(i) the necessary wearing apparel and bedding of the defaulter, his wife and children and their cooking and eating utensils;

(ii) tools of artisans;

(iii) books of account; or

(iv) when the defaulter is an agriculturist his implements of husbandry, seed, grain and such cattle as may be necessary to enable the defaulter to earn his livelihood;

(b) the distress shall not be excessive, that is to say, the property distrained shall be as nearly as possible equal in value to the amount recoverable under the warrant, and if any property has been distrained which, in the opinion of the Chairperson, should not have been distrained, it shall forthwith be released.

(2) The person charged with the execution of a warrant of distress shall forthwith make an inventory of the property which he seizes under such warrant, and shall, at the same time, give a written notice in the form set forth in the Eighth Schedule, to the person in possession thereof at the time of seizure that the said property will be sold as therein mentioned.

Section 104. Disposal of distrained property and attachment and sale of immovable property

(1) When the property seized is subject to speedy and natural decay or when the expense of keeping it in custody is, when added to the amount to be recovered, likely to exceed its value, the Chairperson shall give notice to the person in whose possession the property was at the time of seizure that it will be sold at once, and shall sell it accordingly by public auction unless the amount mentioned in the warrant is forthwith paid.

(2) If the warrant is not in the meantime suspended by the Chairperson, or discharged, the property seized shall, after the expiry of the period named in the notice served under sub-section (2) of section 103 be sold by public auction by order of the Chairperson.

(3) When a warrant is issued for the attachment and sale of immovable property, the attachment shall be made by an order prohibiting the defaulter from transferring or charging the property in any way, and all persons from taking any benefit from such transfer or charge, and declaring that such property would be sold unless the amount of tax due with all costs of recovery is paid into the municipal office within fifteen days from the date of the attachment.

(4) Such order shall be proclaimed at some place on or adjacent to such property by beat of drum or other customary mode and a copy of the order shall be affixed on a conspicuous part of the property and upon a conspicuous part of the municipal office and also, when the property is land paying revenue to the Government, in the office of the collector.

(5) Any transfer of or charge on the property attached or any interest therein made without written permission of the Chairperson shall be void as against all claims of the Council enforceable under the attachment.

(6) The surplus of the sale-proceeds, if any, shall, immediately after the sale of the property, be credited to the New Delhi Municipal Fund, and notice of such credit shall be given at the same time to the person whose property has been sold or his legal representative and if the same is claimed by written application to the Chairperson, within one

year from the date of the notice, a refund thereof shall be made to such person or representative.

(7) Any surplus not claimed within one year as aforesaid shall be the property of the Council.

(8) For every distraint and attachment made in accordance with the foregoing provisions, a fee of such amount not exceeding two and a half per cent. of the amount of the tax due as shall in each case be fixed by the Chairperson, shall be charged, and the said fee shall be included in the costs of recovery.

Section 105. Recovery from a person about to leave New Delhi or Delhi

(1) If the Chairperson has reason to believe that any person from whom any sum is due or is about to become due on account of any tax is about to move from New Delhi or Delhi, he may direct the immediate payment by such person of the sum so due or about to become due and cause a notice of demand for the same to be served on such person.

(2) If, on the service of such notice, such person does not forthwith pay the sum so due or about to become due, the amount shall be leviable by distress or attachment and sale in the manner hereinbefore provided, and the warrant of distress or attachment and sale may be issued and executed without any delay.

Section 106. Power to institute suit for recovery

Instead of proceeding against a defaulter by distress and sale as hereinbefore provided, or after a defaulter has been so proceeded against unsuccessfully or with partial success, any sum due or the balance of any sum due, as the case may be, from such defaulter on account of a tax may be recovered from him by a suit in any court of competent jurisdiction.

Section 107. Power of seizure of vehicles and animals in case of non-payment of tax thereon

(1) If the tax on any vehicle or animal is not paid, then, instead of proceeding against the defaulter by distress and sale of his other movable property as hereinbefore provided, the Chairperson may, at any time after the tax has become due, seize and detain the vehicle or animal or both and, if the owner or other person entitled thereto does not within seven days in respect of a vehicle and two days in respect of an animal from the date of such seizure and detention, claim the same and pay the tax due together with the charges incurred in connection with the seizure and detention, the Chairperson may cause the same to be sold and apply the proceeds of the sale or such part thereof as is required in discharge of the sum due and the charges incurred as aforesaid.

(2) The surplus, if any, remaining after the application of the sale-proceeds under sub-section (1) shall be disposed of in the manner laid down in sub-sections (6) and (7) of section 104.

Section 108. Occupiers may be required to pay rent towards satisfaction of property tax

(1) For the purposes of recovering the amount of any property tax from any occupier under section 68, the Chairperson shall cause to be served on such occupier a notice requiring him to pay to the Council, any rent due or falling due from him in respect of the land or building to the extent necessary to satisfy the portion of the sum due for which he is liable under the said section.

(2) Such notice shall operate as an attachment of the said rent unless the portion of the sum due shall have been paid and satisfied and the occupier shall be entitled to credit in account with the person to whom such rent is due for any sum paid by him to the Council in pursuance of such notice:

Provided that if the person to whom such rent is due is not the person primarily liable for payment of the property tax, he shall be entitled to recover from the person primarily liable for the payment of such tax any amount for which credit is claimed as aforesaid.

(3) If any occupier fails to pay to the Council any rent due or falling due which he has been required to pay in pursuance of a notice served upon him as aforesaid, the amount of such rent may be recovered from him by the Council as an arrear of tax under this Act.

Remission and refund

Section 109. Demolition, etc., of buildings

If any building is wholly or partly demolished or destroyed or otherwise deprived of value, the Chairperson may, on the application in writing of the owner or occupier, remit or refund such portion of any tax assessed on the rateable value thereof as he thinks fit.

Section 110. Remission or refund of tax

[Remission or refund of tax.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 111. Power to require entry in assessment list of details of buildings

[Power to require entry in assessment list of details of buildings.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 112. Notice to be given of the circumstances in which remission or refund is claimed

[Notice to be given of the circumstances in which remission or refund is claimed.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 113. What buildings are to be deemed vacant

[What buildings are to be deemed vacant.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 114. Notice to be given of every occupation of vacant land or building

[Notice to be given of every occupation of vacant land or building.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Appeals

Section 115. Appeal against assessment, etc

(1) An appeal against the levy or assessment of any tax under this Act shall lie to the court of the district judges of Delhi.

(2) If, before or on the hearing of an appeal under this section, any question of law or usage having the force of law or construction of a document arises, the Court of district judge on his own motion may, or on the application of any party to the appeal, shall, draw up a statement of the facts of the case, and the question so arising, and refer the statement with his opinion on the question for the decision of the High Court.

(3) On a reference being made under sub-section (2), the subsequent proceedings in the case shall be, as nearly as may be in conformity with the rules relating to references to the High Court contained in Order XLVI of the First Schedule to the Code of Civil Procedure, 1908 (5 of 1908).

(4) In every appeal, the costs shall be in the discretion of the Court.

(5) Costs awarded under this section to the Council shall be recoverable by the Council as an arrear of tax due from the appellant.

(6) If the Council fails to pay any costs awarded to an appellant within ten days after the date of the order for payment thereof, the Court may order the Chairperson to pay the amount to the appellant.

Section 116. Conditions of right to appeal

No appeal shall be heard or determined under section 115 unless-

(a) the appeal is, in the case of a property tax, brought within thirty days next after the date of authentication of the assessment list under section 70 (exclusive of the time requisite for obtaining a copy of the relevant entries therein) [1]*** and, in the case of any other tax, within thirty days next after the date of the receipt of the notice of assessment or of alteration of assessment or, if no notice has been given, within thirty days after the date of the presentation of the first bill or, as the case may be, the first notice of demand in respect thereof;

(b) the amount, if any, in dispute in the appeal has been deposited by the appellant in the office of the Council.

[1] Certain words omitted by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 117. Condonation of delay in preferring the appeal

Notwithstanding anything contained in clause (a) of section 116, an appeal may be admitted after the expiration of the period prescribed therefor by that section if the appellant satisfies the court that he had sufficient cause for not preferring the appeal within the period.

Section 118. Finality of appellate orders

The order of the Court confirming, setting aside or modifying an order in respect of any rateable value or assessment or liability to assessment or taxation shall be final:

Provided that it shall be lawful for the Court upon application or on its own motion, to review any order passed by it in appeal within three months from the date of the order.

Miscellaneous provisions relating to taxation

Section 119. Power to inspect for purposes of determining rateable value or tax

(1) The Chairperson may, without giving any previous notice, enter upon and make an inspection of-

(a) any land or building for the purpose of determining the rateable value of such land or building;

(b) any stable, garage, or coach house or any place wherein he may have reason to believe that there is any vehicle or animal liable to a tax under this Act;

(c) any place or premises which he has reason to believe are being used or are about to be used for any performance or show in respect of which the theatre-tax is payable or would be payable;

(d) any land, building or vehicle in or upon which any advertisement liable to tax under this Act is exhibited or displayed.

(2) The Chairperson may, by written summons, require the attendance before him of any person whom he has reason to believe to be liable to the payment of a tax in respect of a vehicle or animal, or of any servant of any such person and may examine such person or servant as to the number and description of vehicles and animals owned by or in the possession or under the control of such person; and every person or servant of such person so summoned shall be bound to attend before the Chairperson and to give information to the best of his knowledge and belief as to the said matters.

Section 120. Composition

(1) The Chairperson may with the previous sanction of Council allow any person to compound for any tax.

(2) Every sum due by reason of the composition of a tax under sub-section (1) shall be recovered as an arrear of tax under this Act.

Section 121. Irrecoverable debts

(1) The Chairperson may write off any sum due on account of any tax or of the costs of recovering any tax if such sum is, in his opinion irrecoverable:

Provided that where the sum written off in favour of any person exceeds one thousand rupees, the previous sanction of the Council shall be first obtained.

(2) The Chairperson shall report to the Council every case in which any sum has been written off under sub-section (1).

Section 122. Obligation to disclose liability

(1) The Chairperson may, by written notice, call upon any inhabitant of New Delhi to furnish such information as may be necessary for the purpose of ascertaining-

(a) whether such inhabitant is liable to pay any tax imposed by the Council under this Act;

(b) at what amount he should be assessed; or

(c) the rateable value of the land or building which he occupies and the name and address of the owner or lessee thereof.

(2) If any person when called upon under sub-section (1) to furnish information neglects to furnish it within the period specified in this behalf by the Chairperson or furnishes information which is not true to the best of his knowledge or belief, he shall be liable, in addition to any penalty which may be imposed under this Act, to be assessed at such amount on account of tax as the Chairperson may deem proper, and the assessment so made shall, subject to the provisions of this Act, be final.

Section 123. Immaterial error not to affect liability

No assessment and no charge or demand on account of any tax shall be impeached or affected by reason only of any mistake in the name, residence, place of business or occupation of any person liable to pay the tax or in the description of any property or thing, or of any mistake in the amount of the assessment, charge or demand, or by reason only of clerical error or other defect of form, if the directions contained in this Act and the bye-laws made thereunder have in substance and effect been complied with and it shall be enough in the case of any such tax on property or any assessment of value for the purpose of any such tax, if the property taxed or assessed is so described as to be generally known; and it shall not be necessary to name the owner or occupier thereof.

Section 124. General power of exemption

The Council may, by resolution passed in this behalf, exempt either wholly or in part from the payment of any tax levied under this Act, any class of persons or any class of property or goods.

Taxes on entertainment and betting

Section 125. Payment of proceeds of entertainment and betting taxes to Council

[Payment of proceeds of entertainment and betting taxes to Council.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

CHAPTER IX BORROWING

Section 126. Power of Council to borrow

(1) The Council may, in pursuance of any resolution passed by it, borrow by way of debenture or otherwise on the security of all or any of the taxes, rates, cesses, fees and charges authorised by or under this Act, any sums of money which may be required-

(a) for acquiring any land which it has power to acquire;

(b) for erecting any building which it has power to erect;

(c) for the execution of any permanent work, the provision of any plant, or the doing of any other thing which it has power to execute, provide or do, if the cost of carrying out the purpose in question ought to be spread over a term of years;

(d) to pay off any debt due to the Central Government or the Government;

(e) to repay a loan previously raised under this Act or any other Act previously in force; or

(f) for any other purpose for which the Council is, by virtue of this Act or any other law for the time being in force, authorised to borrow:

Provided that-

(i) no loan shall be raised without the previous sanction of the Central Government or without previous publication of the application for sanction under the Local Authorities Loans Act, 1914 (9 of 1914), and the rules made thereunder; and

(ii) the amount of loan, the rate of interest and the terms including the date of floatation, the time and method of the repayment and the like shall be subject to the approval of the Central Government.

(2) When any sum of money has been borrowed under sub-section (1), no portion of any sum of money borrowed for any of the purposes referred to in clause (c) of sub-section (1) shall be applied to the payment of salaries and allowances to any officers or other employees other than those exclusively employed in connection with the carrying out of that purpose.

Section 127. Time for repayment of money borrowed under section 126

The time for the repayment of any money borrowed under section 126 shall in no case exceed sixty years and the time for repayment of any money borrowed for the purpose of discharging any previous loan shall not, except with the express sanction of Central Government, extend beyond the unexpired portion of the period for which such previous loan was sanctioned.

Section 128. Form and effect of debenture

All debentures issued under this Chapter shall be in such form as the Council may, with the previous sanction of the Central Government, determine and shall be transferable in such manner as shall be therein expressed; and the right to sue in respect of the moneys secured by any of such debentures shall vest in the holders thereof for the time being without any preference by reason of some such debentures being prior in date to others.

Section 129. Payment to survivors of joint payees

When any debenture or security issued under this Act is payable to two or more persons jointly, and either or any of them dies, then, notwithstanding anything in section 45 of the Indian Contract Act, 1872 (9 of 1872), the debenture or security shall be payable to the survivor or survivors of such person:

Provided that nothing in this section shall affect any claim by legal representative of a deceased person against such survivor or survivors.

Section 130. Receipt by joint holders for interest or dividend

When two or more persons are joint holders of any debenture or security issued under this Act, any one of such persons may give an effectual receipt for any interest or dividend payable in respect of such debenture or security, unless notice to the contrary has been given to the Council by the other of such persons.

Section 131. Maintenance and investment of sinking funds

(1) The Council shall maintain sinking funds for the repayment of money borrowed on debentures issued and shall pay every year into such sinking funds such sum as will be sufficient for the repayment within the period fixed for the loan of all moneys borrowed on the debentures issued.

(2) All money paid into the sinking funds shall, as soon as possible, be invested by the Chairperson in public securities and every such investment shall be reported by the Chairperson to the Council within fifteen days.

(3) All dividends and other sums received in respect of any such investment shall, as soon as possible after receipt, be paid into the sinking funds and invested in the manner laid down in sub-section (2).

(4) When any part of a sinking fund is invested in New Delhi municipal debentures, or is applied in paying off any part of a loan before the period fixed for repayment, the interest which would otherwise have been payable on such debentures or on such part of the loan shall be paid into the sinking fund and invested in the manner laid down in sub-section (2).

(5) Any investment made under this section may, subject to the provision of sub-section (2), be varied or transposed.

Section 132. Application of sinking funds

A sinking fund or any part thereof shall be applied in or towards the discharge of the loan or a part of the loan for which such fund was created, and until such loan or part is wholly discharged shall not be applied for any other purpose:

Provided that when any loan or part thereof has been consolidated under section 134, the Chairperson shall transfer to the sinking fund of the consolidated loan such part of the sinking funds of the original loans as may be proportionate to the amount of the original loans incorporated in the consolidated loan.

Section 133. Annual statement by Chairperson

(1) The Chairperson shall, at the end of every year, submit to the Council a statement showing-

(a) the amount which has been invested during the year under section 131;

(b) the date of the last investment made previous to the submission of the statement;

(c) the aggregate amount of the securities then in his hand; and

(d) the aggregate amount which has up to the date of the statement been applied under section 132, in or towards discharging loans.

(2) Every such statement shall be published in the Official Gazette.

Section 134. Power of Council to consolidate loans

(1) Notwithstanding anything to the contrary contained in this Chapter, the Council may consolidate all or any of its loans and for that purpose may invite tenders for a new loan (to be called "the New Delhi Municipal Council Consolidated Loan, 19-") and invite holders of the municipal debentures to exchange their debentures for scrips of such loan.

(2) The terms of any such consolidated loan and the form of its scrip and the rates at which exchange into such consolidated loan shall be permitted shall be subject to the prior approval of the Central Government.

(3) The period for the exchanging of any such consolidated loan shall not, without the sanction of the Central Government, extend beyond the farthest date within which any of the loans to be consolidated would otherwise be repayable.

(4) The Council shall provide for the repayment of any such consolidated loan by a sinking fund in the manner laid down in section 131 having regard to the amount transferred to such sinking fund under section 132.

Section 135. Priority of payment for interest and repayment of loans over other payments

(1) All payments due from the Council for interest on and repayment of loans shall be made in priority to all other payments due from the Council.

(2) If any money borrowed or deemed to have been borrowed by the Council from Central Government or the

Government or any interest or costs due in respect thereof be not repaid according to the conditions of the loan, the Central Government or the Government may attach the New Delhi Municipal Fund or any part thereof.

(3) After such attachment no person except an officer appointed in this behalf by the Central Government shall in any way deal with the attached fund; but such officer may do all acts in respect thereof which any municipal authority, officer or other employee might have done if such attachment has not taken place, and may apply the proceeds in satisfaction of the arrears and of all interests and cost due in respect thereof and of all expenses caused by the attachment and subsequent proceedings:

Provided that no such attachment shall defeat or prejudice any debt for which the fund was previously charged in accordance with law; and all such prior charges shall be paid out of the proceeds of the fund before any part of the proceeds is applied to satisfaction of the debt due to the Central Government or the Government.

Section 136. Power to make regulations

The Council may make regulations to carry out the purposes of this Chapter including, in particular, the issue of duplicates in case of loss of debentures by theft, destruction or otherwise, and renewal of debentures on payment of fees prescribed in this behalf by such regulations.

CHAPTER X PROPERTY AND CONTRACTS

Property

Section 137. Acquisition of property

The Council shall, for the purpose of this Act, have power to acquire and hold movable and immovable property, or any interest therein.

Section 138. Acquisition of immovable property by agreement

Whenever the Council decides to acquire any immovable property for the purpose of this Act, the Chairperson shall acquire such property on behalf of the Council by agreement on such terms and at such price as may be approved by the Council.

Section 139. Procedure when immovable property cannot be acquired by agreement

Whenever the Chairperson is unable to acquire any immovable property under section 138 by agreement, the Central Government may at the request of the Chairperson procure the acquisition thereof under the provisions of the Land Acquisition Act, 1894 (1 of 1894), and on payment by the Council of the compensation awarded under that Act and of the charges incurred by that Government in connection with the proceedings, the land shall vest in the Council.

Section 140. Disposal of movable property

(1) With respect to the disposal of movable property belonging to Council the Chairperson may, in his discretion, dispose of by sale or otherwise, any movable property belonging to the Council not exceeding in value in each instance one thousand rupees, or such higher amount as the Council may prescribe, or let out on hire any movable property or grant a lease of any immovable property belonging to the Council including any right of gathering and taking fruits and the like, for a period not exceeding one year at a time.

(2) In cases not covered by sub-section (1), the Chairperson may, with the sanction of the Council, lease, sell, let out on hire or otherwise transfer any movable property belonging to the Council.

Section 141. Disposal of immovable property

(1) The Chairperson may, with the sanction of the Council, lease, sell, let out on hire or otherwise transfer any immovable property belonging to the Council.

(2) The consideration for which any immovable property may be sold, leased or otherwise transferred shall not be less than the value at which such immovable property could be sold, leased or otherwise transferred in normal and fair competition.

(3) The sanction of Council under section 140 or this section may be given either generally for any class of cases or specially for any particular case.

(4) Subject to any conditions or limitation that may be specified in any other provisions of this Act the foregoing provisions of section 140 and this section shall apply to every disposal of property belonging to the Council made under, or for any purpose of this Act.

(5) Every case of disposal of property under sub-section (1) of section 140 shall be reported by the Chairperson

without delay to the Council.

Contracts

Section 142. Contracts by the Council

Subject to the provisions of sections 143 and 144 the Council shall be competent to enter into and perform any contract necessary for the purposes of this Act.

Section 143. Procedure for making contracts

With respect to the making of contracts, the following provisions shall have effect, namely:-

(a) every such contract shall be made on behalf of the Council by the Chairperson;

(b) no such contract, for any purpose which in accordance with any provision of this Act the Chairperson may not carry out without the approval or sanction of the Council shall be made by him until and unless such approval or sanction has been duly obtained;

(c) no contract which will involve an expenditure exceeding ten lakh rupees or such higher amount as the Central Government may from time to time, fix, shall be made by the Chairperson unless the same is previously approved by the Council; and

(d) every contract made by the Chairperson involving an expenditure exceeding one lakh rupees but not exceeding ten lakh rupees or such higher amount as may be fixed under clause (c) shall be reported by him, within one month after the same has been made to the Council.

Section 144. Mode of executing contracts

(1) The mode of executing contracts under this Act shall be prescribed by bye-laws made in this behalf.

(2) No contract which is not made in accordance with the provisions of this Act and the bye-laws made thereunder shall be binding on the Council.

CHAPTER XI WATER SUPPLY, DRAINAGE AND SEWAGE COLLECTION

General

Section 145. Definitions

In this Chapter, unless the context otherwise requires, the following words and expressions in relation to water supply shall have the respective meanings given below, namely:-

(1) "communication pipe" means,-

(a) where the premises supplied with water abut on the part of the street in which the main is laid, and the service pipe enters those premises otherwise than through the outer wall of a building abutting on the street and has a stopcock placed in those premises and as near to the boundary of that street as is reasonably practicable, so much of the service pipe as lies between the main and that stopcock;

(b) in any other case, so much of the service pipe as lies between the main and the boundary of the street in which the main is laid, and includes the ferrule at the junction of the service pipe with the main, and also-

(i) where the communication pipe ends at a stopcock, that stopcock; and

(ii) any stopcock fitted on the communication pipe between the end thereof and the main;

(2) "main" means a pipe laid by the Council for the purpose of giving a general supply of water as distinct from a supply to individual consumers and includes any apparatus used in connection with such a pipe;

(3) "service pipe" means so much of any pipe for supplying water from a main to any premises as is subject to water pressure from that main, or would be so subject but for the closing of some tap;

(4) "supply pipe" means so much of any service pipe as is not a communication pipe;

(5) "trunk main" means a main constructed for the purpose of conveying water from a source of supply to a filter or reservoir or from one filter or reservoir to another filter or reservoir, or for the purpose of conveying water in bulk from one part of the limits of supply to another part of those limits, or for the purpose of giving or taking a supply of water in bulk;

(6) "water fittings" includes pipes (other than mains), taps, cocks, valves, ferrules, meters, cisterns, baths and other similar apparatus used in connection with the supply and use of water.

Section 146. Council may carry out surveys and formulate proposals

(1) The Council may-

(a) carry out a survey of the existing consumption of and demand for water supplies in New Delhi and of the water resources in or likely to be made available in New Delhi;

(b) prepare an estimate of the future water supply requirements of New Delhi;

(c) carry out a survey of the existing quantity of sewage collection;

(d) formulate proposals as to-

(i) the existing or future water supply requirements of New Delhi;

(ii) the existing or future sewage collection requirement in New Delhi including proposals for the manner in which and the place or places at which sewage should be carried and collected.

(2) If the Council is of the opinion that the works and other properties for the time being vested in the Council, are inadequate for the purpose of sufficient supply of water or for the purpose of efficient collection of sewage under this Act it may take step in accordance with the provisions of this Act for the construction of additional works, whether within New Delhi or outside New Delhi with the approval of the Administrator and for the acquisition of additional properties for such works.

Water supply

Section 147. Functions in relation to water supplies

(1) It shall be the duty of the Council to take steps from time to time-

(a) for ascertaining the sufficiency and wholesomeness of water supplies within New Delhi and receiving bulk supplies of water from the authority prescribed by the Central Government;

(b) for providing a supply of wholesome water in pipes to every part of New Delhi in which there are houses, for the domestic purposes of the occupants thereof, and for taking the pipes affording that supply to such point or points as will enable the houses to be connected thereto at a reasonable cost, so, however, that this clause shall not require the Council to do anything which is not practicable at a reasonable cost or to provide such a supply to any part of New Delhi where such a supply is already available at such point or points aforesaid;

(c) for providing as far as possible, a supply of wholesome water otherwise than in pipes to every part of New Delhi in which there are houses, for the domestic purposes of the occupants thereof and to which it is not practicable to provide a supply in pipes at a reasonable cost, and in which danger to health arises from the insufficiency or unwholesomeness of the existing supply and a public supply is required and can be provided at a reasonable cost, and for securing that such supply is available within a reasonable distance of every house in that part.

(2) If any question arises under clause (b) of sub-section (1) as to whether anything is or is not practicable at a reasonable cost or as to the point or points to which pipes must be taken in order to enable houses to be connected to them at a reasonable cost, or under clause (c) thereof, as to whether a public supply can be provided at a reasonable cost, the Council shall determine that question and thereupon it shall give effect to that determination.

(3) Without prejudice to the provisions of sub-section (1), the Chairperson shall, for the purpose of securing, so far as is reasonably practicable, that every house has available a sufficient supply of wholesome water for domestic purposes, exercise his powers under this Act of requiring the owners of houses to provide a supply of water thereto.

(4) The Council shall secure that the water in any water works belonging to the Council from which the water is supplied for domestic purpose is wholesome.

Section 148. Water supplied for domestic purposes not to be used for non-domestic purposes

No person shall, without the written permission of the Chairperson, use or allow to be used for other than domestic purposes water supplied for domestic purposes.

Section 149. Supply of water for domestic purposes not to include any supply for certain specified purposes

The supply of water for domestic purposes under this Act shall not be deemed to include any supply-

(a) for animals or for washing vehicles where such animals or vehicles are kept for sale or hire;

(b) for any trade, manufacture or business;

(c) for fountains, swimming baths or any ornamental or mechanical purpose;

(d) for gardens or for purposes of irrigation;

(e) for making or for watering streets; or

(f) for building purposes.

Section 150. Power to supply water for non-domestic purposes

(1) The Chairperson may supply water for any purpose other than a domestic purpose on such terms and conditions consistent with this Act and the bye-laws made thereunder as may be laid down in this behalf by the Council on receiving a written application specifying the purpose for which the supply is required and the quantity likely to be consumed.

(2) When a application under sub-section (1) is received, the Chairperson may subject to such charges and rates as may be fixed by the Council, place or allow to be placed the necessary pipes and water fittings of such dimensions and character as may be prescribed by bye-laws and may arrange for the supply of water through such pipes and fittings.

Section 151. Use of water for extinguishing fire

Water may be used for extinguishing fire.

Section 152. Power to require water supply to be taken

[Power to require water supply to be taken.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 153. New premises not to be occupied without arrangement for water supply

[New premises not to be occupied without arrangement for water supply.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 154. Public gratuitous water supply

(1) The Chairperson with the approval of the Council may provide gratuitous supply of wholesome water to the public within New Delhi and may, for that purpose, erect public hydrants or other conveniences.

(2) The Chairperson may with like approval close a public hydrant or other convenience when it is no longer required for the supply of wholesome water to the public.

Section 155. Power to lay mains

(1) The Chairperson may lay a main whether within or without the local limits of the Council-

(a) in any street; and

(b) with the consent of every owner and occupier of any land not forming part of a street, in, over or on that land,

and may, from time to time, inspect, repair, alter or renew or may at any time remove any main so laid whether by virtue of this section or otherwise:

Provided that where a consent required for the purpose of this sub-section is withheld, the Chairperson may, after giving the owner or occupier of the land a written notice of his intention so to do, lay the main in, over or on that land even without such consent.

(2) Where the Chairperson, in exercise of the powers under this section, lays a main in, over or on any land not forming part of a street, or inspects, repairs, alters, renews or removes a main so laid down in, over or on any such land, he shall pay compensation to every person interested in that land for any damage done to, or injurious affection of that land by reason of the inspection, laying, repair, alteration, renewal or removal of the main.

Section 156. Power to lay service pipes, etc

(1) The Chairperson may, in any street whether within or without the local limits of the Council lay such service pipes with such stopcocks and other water fittings as he may deem necessary for supplying water to premises and may, from time to time, inspect, repair, alter or renew and may, at any time, remove any service pipe laid in a street whether by virtue of this section or otherwise.

(2) Where a service pipe has been lawfully laid in, over, or on the land not forming part of a street, the Chairperson may from time to time enter upon that land and inspect, repair, alter, renew or remove the pipe or lay a new pipe in substitution thereof but shall pay compensation for any damage done in the course of such action.

Section 157. Provision of fire hydrants

(1) The Chairperson shall fix hydrants on water mains (other than trunk mains) at such places as may be most convenient for affording a supply of water for extinguishing any fire which may break out and shall keep in good order and from time to time renew every such hydrant.

(2) To denote the situation of every hydrant placed under this section, letters, marks or figures shall be displayed prominently on some wall, building or other structure near such hydrant.

(3) As soon as any such hydrant is completed, the Chairperson shall deposit a key thereof at each place where a public fire engine is kept and in such other places as he deems necessary.

(4) The Chairperson may, at the request and expense of the owner or occupier of any factory, workshop, trade premises or place of business situated in or near a street in which a pipe is laid (and not being a trunk main and being of sufficient dimensions to carry a hydrant), fix on the pipe and keep in good order and from time to time renew one or more fire hydrants, to be used only for extinguishing fires as near as conveniently may be to that factory, workshop, trade premises or place of business.

(5) The Chairperson shall allow all persons to take water for extinguishing fires from any pipe on which a hydrant is fixed without any payment.

Section 158. Supply of water

(1) The Chairperson may permit the owner, lessee or occupier of any premises to connect the premises by means of supply pipes for conveying to the premises a supply of water for his domestic purposes from the municipal water works subject to the requirements specified in section 159 and the conditions, if any, laid down in the bye-laws made in this behalf.

(2) The owner of every premises connected with the municipal water works, shall, when so required by the Chairperson, set up electric pumps or other contrivances whereby water may be caused to reach to the top of the top-most story of such premises.

Section 159. Laying of supply pipes, etc

(1) An owner, lessor or occupier of any premises, who desires to have a supply of water for his domestic purposes from the municipal water works, shall comply with the following requirements, namely:-

(a) he shall give to the Chairperson fourteen days' notice of his intention to lay the necessary supply pipe; and

(b) he shall lay the supply pipe at his own expense, having first obtained, as respects any land not forming part of a street, the consent of the owners or occupiers thereof: Provided that where any part of the supply pipe is to be laid in a street, he shall not himself break open the street or lay that part of the pipe.

(2) Upon the receipt of such a notice as is referred to in sub-section (1), the Chairperson shall lay the necessary communication pipe and any part of the supply pipe which is to be laid in street shall connect the communication pipe with the supply pipe.

(3) The expenses, reasonably incurred by the Chairperson in executing the work which he is required or authorised by this section to execute, shall be repaid to him by the person to whom the notice was given and may be recovered from such person as an arrear of tax under this Act:

Provided that if under the provisions of this section, the Chairperson lays a main in lieu of a supply pipe, the additional cost incurred in laying the main instead of a supply pipe shall be borne by him.

(4) Notwithstanding anything contained in the foregoing provisions of this section, the Chairperson may, within a reasonable time after the service of the notice upon him, require the person giving the notice either to pay to him, in advance the cost of the work, as estimated by the Chairperson or any officer authorised by in this behalf or to give security for payment thereof to his satisfaction.

(5) If any payment made to the Chairperson under sub-section (4) exceeds the expenses which the Chairperson would be entitled to recover from the person giving the notice, the excess shall be repaid by him and if and so far as those expenses are not covered by the payment, the Chairperson may recover the balance from such person as an arrear of tax under this Act.

Section 160. Power to require separate service pipes

(1) The Chairperson may require the provision of a separate service pipe for each of the premises supplied or to be supplied by him with water.

(2) If, in the case of any premises already supplied with water but not having a separate service pipe, the Chairperson

gives notice to the owner of the premises requiring the provision of such a pipe, the owner shall, within three months, lay so much of the required pipe as will constitute a supply pipe and is not required to be laid in a street, and the Chairperson, shall, within fourteen days after the owner has done so, lay so much of the required pipe as will constitute a communication pipe or a supply pipe to be laid in a street and make all necessary communications.

(3) If an owner upon whom a notice has been served under sub-section (2) fails to comply therewith the Chairperson may himself execute the work which the owner was required to execute and recover the expenses reasonably incurred by him in executing the work as an arrear of tax under this Act.

Section 161. Stopcocks

(1) On every service pipe laid after the commencement of this Act the Chairperson, shall, and on every service pipe laid before such commencement, Chairperson may, fit a stopcock enclosed in a cover box or a pit of such size as may be reasonably necessary.

(2) Every stopcocks fitted on a service pipe after the commencement of this Act shall be placed in such position as the Chairperson deems most convenient:

Provided that-

(a) a stopcock in private premises shall be placed as near as is reasonably practicable to the street from which the service pipe enters those premises; and

(b) a stopcock in a street shall be placed as near to the boundary thereof as is reasonably practicable.

Section 162. Power of Chairperson to provide meters

(1) The Chairperson may provide a water-meter and attach the same to the service pipe in premises connected with municipal water works.

(2) The expense of providing and attaching a meter under sub-section (1) shall be paid out of the New Delhi Municipal Fund.

(3) The use, rent to be paid for such use, maintenance and testing of meters shall be regulated by orders made by the Council in this behalf.

Section 163. Presumption as to correctness of meters

Whenever water is supplied under this Chapter through a meter it shall be presumed that the quantity indicated by the meter has been consumed until the contrary is proved.

Section 164. Prohibition of waste or misuse of water

(1) No person shall wilfully or negligently cause or suffer any water fitting which he is liable to maintain,-

(a) to be or remain so out of order or so in need of repair, or

(b) to be or remain so constructed or adapted or to be so used,

that the water supplied to him by the Council is or is likely to be wasted, misused or unduly consumed, or contaminated before use, or that foul air or any impure matter is likely to return into any pipe belonging to, or connected with, a pipe belonging to the Council.

(2) If any water fittings which any person is liable to maintain is in such a condition, or so constructed or adapted as aforesaid, the Chairperson, without prejudice to his right to proceed against the person under any other provision of this Act may require that person to carry out any necessary repairs or alterations and if he fails to do so within forty-eight hours, may himself carry out the work and recover from him the expenses reasonably incurred by him in so doing, as an arrear of tax.

Section 165. Power to enter premises to detect waste or misuse of water

The Chairperson or any municipal officer authorised by the Chairperson in writing may, between sunrise and sunset, enter any premises supplied with water by the Council in order to examine if there be any waste or misuse of such water and the Chairperson or such officer shall not be refused admittance to the premises nor shall be obstructed by any person in making his examination.

Section 166. Power to test water fittings

The Chairperson may test any water fitting used in connection with water supplied by the Council.

Section 167. Power to close or restrict use of water from polluted source of supply

(1) If the Chairperson is of opinion that the water in or obtained from any well, tank or other source of supply not vested in the Council, being water which is or is likely to be used for domestic purposes, or for the preparation of food or drink for human consumption, is or is likely to become so polluted as to be prejudicial to health, the Chairperson may, after giving the owner or occupier of the premises in which the source of supply is situated a reasonable opportunity of being heard, by order, direct that the source of supply be permanently or temporarily closed or cut off or the water therefrom be used for certain purposes only or make such order as appears to him necessary to prevent injury or danger to the health of persons using the water or consuming food or drink prepared therewith or therefrom.

(2) Before making any order under this section, the Chairperson may cause the water to be analysed at the cost of the Council.

(3) If the person to whom an order is made under this section fails to comply therewith, the Chairperson may do whatever may be necessary for giving effect to the order, and any expenses reasonably incurred by him in so doing may be recovered by him from the person in default as an arrear of tax under this Act.

Section 168. Water pipes, etc., not to be placed where water will be polluted

(1) No water pipes shall be laid in a drain or on the surface of an open channel or house gully or within six meters of a cesspool or in any position where the pipe is likely to be injured or the water therein polluted; and no well or tank and except with the consent of the Chairperson, no cistern shall be constructed within six meters of a latrine, or cesspool.

(2) No latrine, or cesspool shall be constructed or made within six meters of any well, tank, water pipe or cistern or in any position where the pipe, well, tank or cistern is likely to be injured or the water therein polluted.

Section 169. Power to cut off private water supply or to turn off water

(1) The Chairperson may, subject to the conditions laid down in this behalf in the bye-laws, cut off or turn off water supply from any municipal water work to any premises or part thereof to which a private water supply is furnished by the Council.

(2) The expenses of cutting off or turning off water supply shall be paid by the owner or occupier of premises and shall be recoverable from the owner or occupier as an arrear of tax under this Act.

Section 170. Joint and several liability of owners and occupiers for offence in relation to water supply

If any offence relating to water supply is committed under this Act on any premises connected with the municipal water works, the owner, the person primarily liable for the payment of property tax and occupiers of the said premises shall be jointly and severally liable for such offence.

Drainage and sewerage

Section 171. Public drains, etc., to vest in the Council

(1) All public drains, all drains in, alongside or under any public street, and all sewage collection works, whether constructed out of the New Delhi Municipal Fund or otherwise and all works, materials and things appertaining thereto, which are situated in New Delhi shall vest in the Council.

(2) All public and other drains which are vested in the Council are hereafter in this Act referred to as municipal drains.

(3) For the purposes of enlarging, deepening or otherwise repairing or maintaining any such drain or sewage collection work so much of the sub-soil appertaining thereto as may be necessary for the said purpose shall be deemed all so to vest in the Council.

(4) All drains and ventilation shafts, pipes and all appliances and fittings connected with the drainage works constructed, erected or set up out of the New Delhi Municipal Fund in or upon premises not belonging to the Council whether-

(a) before or after the commencement of this Act, and

(b) for the use of the owner or occupier of such premises or not,

shall, unless the Council has otherwise determined, or does at any time otherwise determine, vest and be deemed always to have vested in the Council.

Section 172. Control of drains and sewage collection works

(1) All municipal drains, all sewage collection and all works, materials and things appertaining thereto shall be under the control of the Chairperson.

(2) The Chairperson shall maintain and keep in repair all municipal drains and sewage collection works and when authorised by the council, shall construct as many new drains and sewage collection works as may from time to time be necessary for effectual drainage and sewage collection.

Section 173. Certain matters not to be passed into municipal drains

(1) No person shall throw, empty, or turn into any municipal drain or into any drain communicating with a municipal drain-

(a) any matter likely to injure the drain or to interfere with the free flow of its contents, or to affect prejudicially the treatment and disposal of its contents; or

(b) any chemical, refuse or waste steam, or any liquid of a temperature higher than forty-five degrees centigrade, being refuse or steam which, or a liquid which when so heated, is, either alone or in combination with the contents of the drain, dangerous, or the cause of a nuisance, or prejudicial to health; or

(c) any dangerous petroleum.

(2) In this section, the expression "dangerous petroleum" has the same meaning as in the Petroleum Act, 1934 (30 of 1934).

Section 174. Application by owners and occupiers to drain into municipal drains

(1) Subject to such conditions as may be prescribed by bye-laws made in this behalf, the owner or occupier of any premises having a private drain, or the owner of any private drain within New Delhi may apply to the Chairperson to have his drain made to communicate with the municipal drains and thereby to discharge foul water and surface water from those premises or that private drain:

Provided that nothing in this sub-section shall entitle any person-

(a) to discharge directly or indirectly into any municipal drain-

(i) any trade effluent from any trade premises except in accordance with bye-laws made in this behalf; or

(ii) any liquid or other matter the discharge of which into municipal drains is prohibited by or under this Act or any other law; or

(b) where separate municipal drains are provided for foul water and for surface water to discharge directly or indirectly-

(i) foul water into a drain provided for surface water; or

(ii) except with the permission of the Chairperson, surface water into a drain provided for foul water; or

(c) to have his drains made to communicate directly with a strom-water overflow drain.

(2) Any person desirous of availing himself of the provisions of sub-section (1) shall give to the Chairperson notice of his proposals, and at any time within one month after receipt thereof, the Chairperson may by notice to him refuse to permit the communication to be made, if it appears to him that the mode of construction or condition of the drain is such that the making of the communication would be prejudicial to the drainage system, and for the purpose of examining the mode of construction and condition of the drain he may, if necessary, require it to be laid open for inspection.

(3) The Chairperson may, if he thinks fit, construct such parts of the work necessary for having a private drain made to communicate with a municipal drain, as is in or under a public street and in such a case, the expenses incurred by the Chairperson shall be paid by the owner or occupier of the premises, or as the case may be, the owner of the private drain and shall be recoverable from the owner or occupier as an arrear of tax under this Act.

Section 175. Drainage of and drained premises

(1) Where any premises are in the opinion of the Chairperson, without sufficient means of effectual drainage and a municipal drain or some place approved by the Chairperson for the discharge of filth and other polluted and obnoxious matter is situated at a distance of not exceeding thirty meters from any part of the said premises, he may, by written notice, require the owner of the said premises-

(a) to make a drain emptying into such municipal drain or place;

(b) to provide and set up all such appliances and fittings as may appear to the Chairperson necessary for the

purposes of gathering and receiving the filth and other polluted and obnoxious matter from, and conveying the same off, the said premises and of effectually flushing such drain and every fixture connected therewith;

(c) to remove any existing drain or other appliance or thing used or intended to be used for drainage which is injurious to health;

(d) to provide a closed drain in substitution of an open drain or to provide such other appliance or thing either newly or in substitution of any existing appliance or thing or to provide both a close drain and such other appliance or thing in substitution of the existing open drain and other appliance or thing, which is or is likely to be injurious to health;

(e) to provide and set up all such appliances and fittings as may appear to the Chairperson to be necessary for the purpose of gathering and receiving the waste water from floors and galleries of buildings when they are washed, and conveying the same through spouts, by down-take pipes so as to prevent such waste water from discharging directly on streets or inside any lower portion of the premises;

(f) to carry out any work to improve or re-model an existing drain which is inadequate, insufficient or faulty.

(2) Where in any case not provided for in sub-section (1) any premises are, in the opinion of the Chairperson, without sufficient means of effectual drainage, he may, by written notice, require the owner of the premises-

(a) to construct a drain up to a point to be prescribed in such notice but not at a distance of more than thirty meters from any part of the premises; or

(b) to construct a closed cesspool or soakage pit and drain or drains emptying into such cesspool or soakage pit.

(3) Any requisition for the construction of any drain under sub-section (2) may contain any of the details specified in sub-section (1).

Section 176. New premises not to be erected without drains

[New premises not to be erected without drains.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 177. Power to drain group or block of premises by combined operations

(1) If it appears to the Chairperson that any group or block of premises may be drained more economically or advantageously in combination than separately, and a municipal drain of sufficient size already exists or is about to be constructed within thirty meters of any part of that group or block of premises, the Chairperson may cause that group or block of premises to be drained by a combined operation.

(2) The expenses incurred in carrying out any work under sub-section (1) in respect of any group or block of premises shall be paid by the owners of such premises in such proportions as the Chairperson may determine and shall be recoverable from them as an arrear of tax under this Act.

(3) Not less than fifteen days before any such work is commenced, the Chairperson shall give to each such owner-

(a) written notice of the nature of the proposed work, and

(b) an estimate of the expenses to be incurred in respect thereof and of the proportion of such expenses payable by him.

(4) The Chairperson may require the owners of such groups or block of premises to maintain the work executed under this section.

Section 178. Power of Chairperson to close or limit the use of private drains in certain cases

Where a drain connecting any premises with a municipal drain is sufficient for the effectual drainage of such premises and is otherwise unobjectionable but is not in the opinion of the Chairperson, adapted to the general system of drainage in New Delhi, he may, by written notice addressed to the owner of the premises, direct-

(a) that such drain be closed, discontinued or destroyed and that any work necessary for that purpose be done; or

(b) that such drain shall, from such date as may be specified in the notice in this behalf, be used for filth and polluted water only or for rain water and unpolluted sub-soil water only:

Provided that-

(i) no drain may be closed, discontinued or destroyed by the Chairperson under clause (a) except on condition of his providing another drain equally effectual for the drainage of the premises and communicating with any municipal drain which he thinks fit; and

(ii) the expenses of the construction of any drain so provided by the Council and of any work done under clause (a) may be paid out of the New Delhi Municipal Fund.

Section 179. Use of drain by a person other than the owner

[Use of drain by a person other than the owner.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 180. Sewage and rain water drains to be distinct

[Sewage and rain water drains to be distinct.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 181. Power of Chairperson to require owner to carry out certain works for satisfactory drainage

[Power of Chairperson to require owner to carry out certain works for satisfactory drainage.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Collection of sewage

Section 182. Appointment of places for the emptying of drains and collection of sewage

The Chairperson may cause any or all of the municipal drains to empty into, and all sewage to be collected of at, such place or places as he considers suitable:

Provided that no place which has not been before the commencement of this Act used for any of the purposes specified in this section shall, after such commencement be used therefor without the approval of the Council:

Provided further that on and after such date as may be appointed by the Central Government in this behalf no sewage shall be discharged into any water course until it has been so treated as not to affect prejudicially the purity and quality of the water into which it is discharged.

Miscellaneous

Section 183. Connection with water works and drains not to be made without permission

Without the written permission of the Chairperson, no person shall, for any purpose whatsoever, at any time make or cause to be made any connection or communication with any drain referred to in section 172 or any water works, constructed or maintained by, or vested in, the Council.

Section 184. Building, railways and private streets not to be erected or constructed over drains or water works without permission

(1) Without the written permission of the Chairperson no railway or private street shall be constructed and no building, wall, fence or other structure shall be erected on any municipal drain or on any water works constructed or maintained by, or vested in, the Council.

(2) If any railway or private street be constructed or any building, wall, fence or structure erected on any drain or water works as aforesaid without the written permission of the Chairperson, the Chairperson may remove or otherwise deal with the same as he may think fit.

(3) The expenses incurred by the Chairperson in so doing shall be paid by the owner of the private street or of the building, fence, wall or other structure or, as the case may be, by the railway administration or the person offending and shall be recoverable as an arrear of tax under this Act.

Section 185. Rights of user of property for aqueducts, lines, etc

(1) The Chairperson may place and maintain aqueducts, conduits and lines of mains or pipes or drains over, under, along or across any immovable property whether within or without the local limits of the Council without acquiring the same, and may at any time for the purpose of examining, repairing, altering or removing any aqueducts, conduits or lines of mains or pipes or drains, enter on any property over, under, along or across which the aqueducts, conduits or lines of mains or pipes, or drains have been placed:

Provided that the Council shall not acquire any right other than a right of user in the property over, under, along or across which any aqueduct, conduit or line of mains or pipes, or drain is placed.

(2) The powers conferred by sub-section (1) shall not be exercisable in respect of any property vested in the Union or under the control or management of the Central Government or railway administration or vested in any local authority save with the permission of the Central Government or railway administration or the local authority, as the case may be, and in accordance with any bye-laws made in this behalf:

Provided that the Chairperson may, without such permission, repair, renew or amend any existing works of which the character or position is not to be altered if such repair, renewal or amendment is urgently necessary in order to

maintain without interruption the supply of water, drainage or collection of sewage or is such that delay would be dangerous to health, human life or property.

(3) In exercise of the powers conferred upon him by this section, the Chairperson shall cause as little damage and inconvenience as may be possible, and shall make full compensation for any damage or inconvenience caused by him.

Section 186. Power of owner of premises to place pipes and drains through land belonging to other persons

(1) If it appears to the Chairperson that the only or most convenient means of water supply to, and drainage of, any premises is by placing or carrying any pipe or drains over, under, along or across the immovable property of another person, the Chairperson may, by order in writing, authorise the owner of the premises to place or carry such pipe or drain over, under, along or across such immovable property:

Provided that before making any such order the Chairperson shall give to the owner of the immovable property a reasonable opportunity of showing cause within such time as may be prescribed by bye-laws made in this behalf as to why the order should not be made:

Provided further that the owner of the premises shall not acquire any right other than a right of user in the property over, under, along or across which any such pipe or drain is placed or carried.

(2) Upon the making of an order, under sub-section (1), the owner of the premises may, after giving reasonable notice of his intention so to do, enter upon the immovable property with assistants and workmen at any time between sunrise and sunset for the purpose of placing a pipe or drain over, under, along or across such immovable property or for the purpose of repairing the same.

(3) In placing or carrying a pipe or drain under this section, as little damage as possible shall be done to the immovable property and the owner of the premises shall-

(a) cause the pipe or drain to be placed or carried with the least practicable delay;

(b) fill in, re-instate and make good at his own cost and with the least practicable delay, any land opened, broken up or removed for the purpose of placing or carrying such pipe or drain; and

(c) pay compensation to the owner of the immovable property and to any other person who sustains damage by reason of the placing or carrying of such pipe or drain.

(4) If the owner of the immovable property, over, under, along or across which a pipe or drain has been placed or carried under this section whilst such immovable property was not built upon, desires to erect any building on such property, the Chairperson shall, by notice in writing, require the owner of the premises to close, remove or divert the pipe or drain in such manner as shall be approved by him and to fill in, re-instate and make good the immovable property as if the pipe or drain had not been placed or carried over, under, along or across the same:

Provided that no such requisition shall be made unless in the opinion of the Chairperson it is necessary or expedient for the construction of the proposed building or the safe enjoyment thereof that the pipe or drain should be closed, removed or diverted.

Section 187. Power to require railway level, etc., to be raised or lowered

If the Council places or carries any pipe or drain or does any other work connected with the water supply or drainage across any railway line, it may, with the sanction of the Central Government and at the cost of the New Delhi Municipal Fund, require the railway administration to raise or lower the level thereof.

Section 188. Power of Chairperson to execute work after giving notice to the person liable

(1) When under the provisions of this Chapter any person may be required or is liable to execute any work, the Chairperson may, in accordance with the provisions of this Act and of any bye-laws made in this behalf, cause such work to be executed after giving such person an opportunity of executing the same within such time as may be specified by him for this purpose.

(2) The expenses incurred or likely to be incurred by the Chairperson in the execution of any such work shall be payable by the said person and the expenses incurred by the Chairperson in connection with the maintenance of such work or the enjoyment of amenities and conveniences rendered possible by such work shall be payable by the person or persons enjoying such amenities and conveniences.

(3) The expenses referred to in sub-section (2) shall be recoverable from the person or persons liable therefor as an arrear of tax under this Act.

Section 189. Power of Chairperson to affix shafts, etc., for ventilation of drain or cesspool

For the purpose of ventilating any drain or cesspool, whether vested in Council or not, the Chairperson may, in accordance with bye-laws made in this behalf, erect upon any premises or affix to the outside of any building or to any tree any such shaft or pipe as may appear to him to be necessary.

Section 190. Power of Chairperson to examine and test drains, etc., believed to be defective

(1) Where it appears to the Chairperson that there are reasonable grounds for believing that a private drain or cesspool is in such condition as to be prejudicial to health or a nuisance or that a private drain communicating directly or indirectly with a municipal drain is so defective as to admit sub-soil water, he may examine its condition, and for that purpose may apply any test, other than a test by water under pressure, and if he deems it necessary, open the ground.

(2) If on examination the drain or cesspool is found to be in proper condition, the Chairperson shall, as soon as possible, re-instate any ground which has been opened by him and make good any damage done by him.

Section 191. Bulk receipt of water and delivery of sewage by the Council

(1) The Council shall receive bulk supply of water from, and deliver in bulk all the sewage to, the authority prescribed by the Central Government.

(2) The Council shall be entitled to receive bulk supply of water from, and to deliver in bulk all the sewage to, the authority prescribed under sub-section (1) subject to such charges for the supply of water in bulk to the Council and the delivery of sewage of the area of New Delhi as may be determined by means of an agreement entered into between that other authority and the Council. The agreement mentioned in this sub-section shall provide also for a stipulation therein that in case of any dispute about the payments to be made to that other authority by the Council, the matter shall be referred to the Central Government whose decision thereon shall be final and binding on both parties.

Section 192. Employment of Government agencies for repairs, etc

The Central Government may for reason to be recorded, direct that any specified work, repair, renewal or replacement which is to be undertaken by or for the Council under this Chapter, shall be carried out on behalf of the Council by the Central Government and the Council shall pay the charges therefor at the rates and subject to the terms for the time being applicable in the case of works constructed by that Government on behalf of a local authority.

Section 193. Work to be done by licensed plumber

(1) No person other than a licensed plumber shall execute any work described in this Chapter and no person shall permit any such work to be executed except by a licensed plumber:

Provided that if, in the opinion of the Chairperson, the work is of a trivial nature, he may grant permission in writing for the execution of such work by a person other than a licensed plumber.

(2) Every person who employs a licensed plumber to execute any work shall, when so required, furnish to the Chairperson the name of such plumber.

(3) When any work is executed except in accordance with the provisions of sub-section (1), such work shall be liable to be dismantled at the discretion of the Chairperson without prejudice to the right of the Council to prosecute under this Act the person at whose instance such work has been executed.

(4) The Council may make bye-laws for the guidance of licensed plumbers and a copy of all such bye-laws shall be attached to every licence granted to a plumber by the Council.

(5) The Council may, from time to time, prescribe the charges to be paid to licensed plumbers for any work done by them under or for any of the purposes of this Chapter.

[1]* * * * *

(7) The Council shall make bye-laws providing for-

(a) the exercise of adequate control on all licensed plumbers;

(b) the inspection of all works carried out by them; and

(c) the hearing and disposal of complaints made by the owners or occupiers of premises with regard to the quality of work done, material used, delay in execution of work, and the charges made, by a licensed plumber.

(8) No licensed plumber shall contravene any of the bye-laws made under this section or execute carelessly or negligently any work under this Act or make use of bad materials appliances or fittings.

(9) If any licensed plumber contravenes sub-section (8), his licence may be suspended or cancelled whether he is prosecuted under this Act or not.

[1] Sub-section (6) omitted by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 194. Prohibition of certain acts

(1) No person shall-

(a) wilfully obstruct any person acting under the authority of the Council, or the Chairperson, in setting out the lines of any works or pull up or remove any pillar, post or stake fixed in the ground for the purpose of setting out lines of such work, or deface or destroy any works made for the same purpose; or

(b) wilfully or negligently break, injure, turn on, open, close, shut off or otherwise interfere with any lock, cock, valve, pipe, meter or other work or apparatus belonging to the Council; or

(c) unlawfully obstruct the flow of or flush, draw off, or divert, or take water from any water work belonging to the Council; or

(d) unlawfully obstruct the flow of, or flush, draw off, divert or take sewage from any sewage work belonging to the Council or break or damage any electrical transmission line maintained by the Council; or

(e) obstruct any officer or other employee of the Council in the discharge of his duties under this Chapter or refuse or wilfully neglect to furnish him with the means necessary for the making of any entry, inspection, examination or inquiry thereunder in relation to any water or sewage work; or

(f) bathe in, at or upon any water work or wash or throw or cause to enter therein any animal, or throw any rubbish, dirt or filth into any water work or wash or clean therein any cloth, wool or leather or the skin of any animal, or cause the water of any sink, or drain or any steam-engine or boiler or any polluted water to turn or be brought into any water work, or do any other act whereby the water in any water work is fouled or likely to be fouled.

(2) Nothing in clause (b) of sub-section (1) shall apply to a consumer closing the stopcock fixed on the service pipe supplying water to his premises so long as he has obtained the consent of any other consumer whose supply will be affected thereby.

CHAPTER XII ELECTRICITY SUPPLY

Section 195. Functions in relation to electricity supply

(1) It shall be the duty of the Council to develop and maintain an efficient, co-ordinated and economical system of electricity supply for New Delhi area under its jurisdiction and for that purpose to take steps from time to time-

(a) acquiring supplies of electricity and its distribution to consumers;

(b) for preparing and carrying out in accordance with rules made in this behalf schemes for distribution of electricity.

(2) In the discharge of its functions in relation to electricity supply, the Council shall, as far as practicable-

(a) promote the use of all economical methods of transmitting and distributing electricity;

(b) secure the development of supplies of electricity;

(c) secure the extension of supplies of electricity to areas without such supplies;

(d) promote the standardisation of systems of supply and types of electrical fittings;

(e) promote the simplification and standardisation of methods of charge for supplies of electricity.

Section 196. Additional functions in relation to electricity supply

(1) The Council may take steps to manufacture, purchase, sell or let on hire on the execution of a hire purchase agreement or otherwise, any electrical machinery, control gear, fittings, wires or apparatus for lighting, heating, cooling or motive power or for any other purpose for which electricity can or may be used, or any industrial or agricultural machinery operated by electricity, and to install, connect, repair, maintain or remove such machinery, control gear, fitting, wires or apparatus and in respect thereof demand and take such remuneration or rents and charges and make such terms and conditions as it deems fit.

(2) The Council may also maintain shops and show rooms for the display, sale or hire of machinery, control gear, fittings, wires or apparatus as aforesaid, conduct displays, exhibitions and demonstrations thereof and generally do all things, including advertising incidental to the sale or hire of such machinery, control gear, fittings, wires and apparatus and to the promotion and encouragement of the use of electricity.

(3) Moneys received and expended in connection with additional functions specified in sub-sections (1) and (2) shall

be shown separately in the accounts.

Section 197. Council to have powers and obligations of licensee under Act 9 of 1910

Subject to the provision of this Act the Council shall in respect of the New Delhi areas under its jurisdiction have all the powers and obligations of a licensee under the Electricity Act, 1910, and this Chapter shall be deemed to be the licence of the Council for the purposes of that Act:

Provided that nothing in sections 3 to 12 of, or in clauses I to IX of the Schedule to, that Act relating to the duties and obligations of a licensee shall apply to the Council.

Section 198. Restriction on building and other acts interfering with the works of electric supply

(1) No building, wall or other structure shall be newly erected and no street or railway shall be constructed over, or in such a manner as to interfere with, any work constructed or maintained for the purposes of the electric supply except with the written permission of the Chairperson.

(2) The Chairperson may cause any building, wall or other structure erected, or any street or railway constructed in contravention of sub-section (1), to be removed or otherwise dealt with as he deems fit, and the expenses incurred therefor shall be paid by the person or authority responsible and shall be recoverable from such person or authority as an arrear of tax under this Act.

Section 199. Power of Council to make arrangements with licensees

(1) The Council may enter into an agreement with any licensee within or outside New Delhi in regard to the purchase of electricity and price thereof and within New Delhi in regard to sale and price thereof or in regard to operation or control of any generating station or main transmission line and notwithstanding anything contained in any law or in any licence, memorandum of association or other instrument regulating the constitution and powers of the licensee, it shall be lawful for the licensee to enter into and carry out any agreement.

(2) In entering into an agreement under this section the Council shall not show any undue preference to any licensee.

Section 200. Charges for supply of electricity

Subject to the provisions of any law for the time being in force, charges shall be leviable for the supply of electricity by the Council at such rates as may, from time to time, be fixed by the Council.

Section 201. Bulk receipt of electricity by the Council

(1) The Council shall receive bulk supply of electricity from the authority which may be prescribed by the Central Government.

(2) The Council shall be entitled to receive bulk supply of electricity from that authority prescribed by the Central Government subject to such terms and conditions as may be determined by means of a contract entered into between that other authority and the Council. The contract mentioned in this sub-section shall provide also for a stipulation therein that disputes between that other authority and the Council in regard to any matter relating to the bulk supply of electricity to the Council shall be referred to the Central Government whose decision thereon shall be final and binding on both parties.

CHAPTER XIII STREETS

Construction, maintenance and improvement of streets

Section 202. Vesting of public streets in the Council

(1) All streets within New Delhi which are or at any time become public streets and the pavements, stones and other materials thereof shall vest in the Council:

Provided that no public street which immediately before the commencement of this Act vested in the Union shall, unless the Central Government with the consent of the Council so directs, vest in the Council by virtue of this sub-section.

(2) All public streets vesting in the Council shall be under the control of the Chairperson and shall be maintained, controlled and regulated by him in accordance with the bye-laws made in this behalf.

Section 203. Functions of Chairperson in respect of public streets

(1) The Chairperson shall, from time to time, cause all public streets vested in the Council to be levelled, metalled or paved, channelled, altered or repaired, and may widen, extend or otherwise improve any such street or cause the soil

thereof to be raised, lowered or altered or may place and keep in repair fences and posts for the safety of foot passengers:

Provided that no widening, extension or other improvement of a public street, the aggregate cost of which will exceed one lakh rupees, shall be undertaken by the Chairperson except with the previous sanction of the Council.

(2) With the previous sanction of the Council, the Chairperson may permanently close the whole or any part of a public street:

Provided that before according such sanction the Council shall by notice, published in the manner specified by bye-laws give reasonable opportunity to the residents likely to be affected by such closure to make suggestions or objections with respect to such closure and shall consider all such suggestions or objections which may be made within one month from the date of publication of the said notice.

Section 204. Disposal of land forming site of public streets permanently closed

Whenever any public street or a part thereof is permanently closed under sub-section (2) of section 203 the site of such street or of the portion thereof may be disposed of as land vesting in the Council.

Section 205. Power to make new public streets

The Chairperson may at any time with the previous sanction of the Council,-

(a) lay out and make new public streets;

(b) construct bridges and sub-ways;

(c) turn or divert any existing public street; and

(d) lay down and determine the position and direction of a street or streets in any part of New Delhi notwithstanding that no proposal for the erection of any building in the vicinity has been received.

Section 206. Minimum width of new public streets

The Chairperson shall, from time to time, with the sanction of council, specify the minimum width of different classes of new public streets according to the nature of the traffic likely to be carried thereon, and the streets with which they join at one or both ends, the localities in which they are situated, the heights up to which buildings abutting thereon may be erected and other similar considerations.

Section 207. Power to prohibit or regulate use of public streets for certain kind of traffic

(1) The Chairperson may-

(a) prohibit or regulate vehicular traffic in any public street or any portion thereof so as to prevent danger, obstruction or inconvenience to the public or to ensure decongestion or smooth flow or quietness in any locality;

(b) prohibit or regulate in respect of all public streets, or any particular public street, the transit of any vehicle of such form, construction weight or size or laden with such heavy or unwieldly objects as may be likely to cause injury to the road-ways or any construction thereon, except under such conditions as to time, mode of traction or locomotion, use of appliances for the protection of roadways, number of lights and assistants and other general precautions and upon the payment of such charges as may be specified by the Chairperson generally or specially in each case; and

(c) prohibit or regulate access to premises from any particular public street carrying high speed vehicular traffic:

Provided that the Chairperson shall not take action without sanction of the Council in cases under clauses (a) and (c).

(2) Notices of such prohibition as are imposed under sub-section (1) shall be posted in conspicuous places at or near both ends of public streets or portions thereof to which they relate, unless such prohibition applies generally to all public streets.

Section 208. Power to acquire lands and buildings for public streets and for public parking places

(1) Subject to the provisions contained in Chapter X, the Chairperson may-

(a) acquire any land required for the purpose of opening, widening, extending or otherwise improving any public street or of making any new public street, and any building standing upon such land;

(b) acquire in relation to any such land or building, all such land with buildings, if any, thereon as the Council may think expedient to acquire outside of the regular line, or of the intended regular line, of such street;

(c) acquire any land for the purpose of laying out or making a public parking place.

Section 209. Defining the regular line of streets

(1) The Chairperson may define a line on one or both sides of any public street in accordance with the bye-laws made in this behalf and may, with the previous sanction of the Council, redefine at any time any such regular line:

Provided that, before according sanction the Council shall by public notice afford reasonable opportunity to the residents or premises abutting on such public street to make suggestions or objections with respect to the proposed redefined line of the street and shall consider all such suggestions or objections which may be made within one month from the date of the publication of the said notice:

Provided further that the regular line of any public street operative under any law in force in any part of New Delhi immediately before the commencement of this Act shall be deemed to be a line defined by the Chairperson under this sub-section.

(2) The line for the time being defined or redefined shall be called the regular line of street.

[1]* * * * *

[1] Sub-sections (3), (4), (5), (6) and (7) omitted by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 210. Setting back building to regular line of street

(1) If any part of a building abutting on a public street is within the regular line of that street, the Chairperson may, whenever it is proposed-

(a) to repair, rebuild or construct such building or to take down such building to an extent exceeding one-half thereof above the ground level, such half to be measured in cubic metres; or

(b) to repair, remove, construct or reconstruct or make any additions to, or structural alterations of, any portion of such building which is within the regular line of the street,

by any order which he issues concerning the addition to, rebuilding construction, repair or alterations of, such building, require such building to be set back to the regular line of the street.

(2) When any building or any part thereof within the regular line of a public street falls down or is burnt down or is, whether by the order of the Chairperson or otherwise, taken down, the Chairperson may forthwith take possession on behalf of the Council of the portion of the land within the regular line of the street therefor occupied by the said building and, if necessary, clear the same.

(3) Land acquired under this section shall be deemed to be part of the public street and shall vest in the Council.

Section 211. Compulsory setting back of building to regular line of street

(1) Where any building or any part thereof is within the regular line of a public street and in the opinion of the Chairperson it is necessary to set back the building or part thereof to the regular line of the street he may, by notice served on the owner in accordance with the provisions of this Act, require him to show cause within such period as may be specified in the notice as to why such building or part thereof which is within the regular line of the street should not be pulled down and the land within the regular line acquired by the Chairperson on behalf of the Council.

(2) If such owner fails to show cause as required by sub-section (1) the Chairperson may require the owner by another notice to be served on him in accordance with the provisions of this Act, to pull down the building or part thereof which is within the regular line of the street within such period as is specified in the notice.

(3) If within such period the owner of the building fails to pull down the building or part thereof as required by the Chairperson, the Chairperson may pull down the same and all the expenses incurred in so doing shall be paid by the owner and recoverable from him as an arrear of tax under this Act.

(4) The Chairperson shall at once take possession on behalf of the Council of the portion of the land within the regular line of the street occupied by the said building or part thereof and such land shall thereupon be deemed to be part of the public street and shall vest in the Council.

Section 212. Acquisition of open land and land occupied by platform, etc., within the regular line of street

If any land, whether open or enclosed, not vesting in the Council and not occupied by any building is within the regular line of a public street or if a platform, verandah, step, compound wall, hedge or fence or some other structure external to a building abutting on a public street or a portion of such platform, verandah, step, compound wall, hedge, fence or other structure is within the regular line of such street, the Chairperson may, after giving to the owner of the land or building not less than seven clear days' notice of his intention so to do, take possession on behalf of the Council of the said land with its enclosing wall, hedge or fence, if any, or of the said platform, verandah, step,

compound wall, hedge, fence or other structure or of any portion thereof which is within the regular line of the public street and, if necessary, clear the same and the land so acquired shall thereupon be deemed to be a part of the public street and shall vest in the Council:

Provided that where the land or building is vested in the Union or a State the Chairperson shall not take possession thereof without the previous sanction of the Central Government.

Section 213. Acquisition of the remaining part of a building and land after their portions within a regular line of street have been acquired

(1) Where a land or building is partly within the regular line of a public street and the Chairperson is satisfied that the land remaining after the excision of the portion within the said line will not be suitable or fit for any beneficial use, he may, at the request of the owner, acquire such land in addition to the land within the said line and such surplus land shall be deemed to be a part of the public street and shall vest in the Council.

[1]* * * * *

[1] Sub-section (2) omitted by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 214. Setting forward of buildings to the regular line of street

[Setting forward of buildings to the regular line of street.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 215. Compensation to be paid in certain cases of setting back or setting forward of buildings, etc

(1) Compensation shall be paid by the Chairperson to the owner of any building or land acquired for a public street under the provisions of sections 210, 211 and 212 for any loss which such owner may sustain in consequence of his building or land being so acquired and for any expense incurred by such owner in consequence of any order made by the Chairperson:

Provided that-

(a) any increase or decrease in the value of the remainder of the property of which the building or land so acquired formed part, likely to accrue from the setting back to the regular line of the street shall be taken into consideration and allowed for in determining the amount of such compensation;

(b) if any such increase in the value exceeds the amount of loss sustained or expenses incurred by the owner, the Chairperson may recover from him half the amount of such excess as a betterment charge.

(2) If in consequence of any order to set forward a building made by the Chairperson the owner of such building sustains any loss or damage, compensation shall be paid to him by the Chairperson for such loss or damage after taking into account any increase in value likely to accrue from the setting forward.

(3) If the additional land which will be included in the premises of any person required or permitted under sub-section (2) to set forward a building belongs to the Council, the order or permission of the Chairperson to set forward the building shall be a sufficient conveyance to the said owner of the said land; and the price to be paid to the Council by the owner for such additional land and the other terms and conditions of the conveyance shall be set forth in the order or permission.

(4) If, when the Chairperson requires any building to be set forward, the owner of the building is dissatisfied with the price fixed to be paid to the Council or with any of the terms or conditions of conveyance, the Chairperson shall, upon the application of the owner at any time within fifteen days after the said terms and conditions are communicated to him, refer the case for the determination of the court of the district judge of Delhi whose decision thereon shall be final.

Private streets

Section 216. Owner's obligation when dealing with land as building sites

If the owner of any land utilises, sells, leases out or otherwise disposes of such land for the construction of buildings thereon he shall lay down and make a street or streets giving access to the plots into which the land may be divided and connecting with an existing public or private street.

Section 217. Lay-out plans

(1) Before utilising, selling or otherwise dealing with any land under section 216, the owner thereof shall send to the Chairperson a written application with a layout plan of the land showing the following particulars, namely:-

(a) the plots into which the land is proposed to be divided for the erection of buildings thereon and the purpose or purposes for which such buildings are to be used;

(b) the reservation or allotment of any site for any street, open space, park, recreation ground, school, market or any other public purpose;

(c) the intended level, direction and width of street or streets;

(d) the regular line of street or streets;

(e) the arrangement to be made for levelling, paving, metalling, flagging, channelling, sewering, draining, conserving and lighting street or streets.

(2) The provisions of this Act and the bye-laws made thereunder as to width of the public streets and the height of buildings abutting thereon, shall apply in the case of streets referred to in sub-section (1) and all the particulars referred to in that sub-section shall be subject to the sanction of the Council.

(3) Within sixty days after the receipt of any application under sub-section (1) the Council shall either accord sanction to the layout plan on such conditions as it may think fit or disallow it or ask for further information with respect to it.

(4) Such sanction shall be refused-

(a) if the particulars shown in the lay-out plan would conflict with any arrangements which have been made or which are in the opinion of the Council likely to be made for carrying out any general scheme of development of New Delhi whether contained in the master plan or a zonal development plan prepared for New Delhi or not; or

(b) if the said lay-out plan does not conform to the provisions of this Act and bye-laws made thereunder; or

(c) if any street proposed in the plan is not designed so as to connect at one end with a street which is already open.

(5) No person shall utilise, sell or otherwise deal with any land or lay-out or make any new street without or otherwise than in conformity with the orders of the Council and if further information is asked for, no step shall be taken to utilise, sell or otherwise deal with the land or to lay-out or make the street until orders have been passed upon receipt of such information:

Provided that the passing of such orders shall not be in any case delayed for more than sixty days after the Council has received the information which it considers necessary to enable it to deal with the said application.

(6) The lay-out plan referred to earlier in this section, shall be prepared by an architect.

Section 218. Alteration or demolition of street made in breach of section 217

(1) If any person lays-out or makes any street referred to in section 217 without or otherwise than in conformity with the orders of the Council, the Chairperson may, whether or not the offender be prosecuted under this Act, by notice-

(a) require the offender to show cause by a written statement signed by him and sent to the Chairperson on or before such date as may be specified in the notice, why such street should not be altered to the satisfaction of the Chairperson or if such alteration be impracticable, why such street should not be demolished; or

(b) require the offender to appear before the Chairperson either personally or by a duly authorised agent on such day and at such time and place as may be specified in the notice and show cause as aforesaid.

(2) If any person on whom such notice is served fails to show cause to the satisfaction of the Chairperson why such street should not be so altered or demolished, the Chairperson may pass an order directing the alternation or demolition of such street.

Section 219. Power of Chairperson to order work to be carried out or to carry it out himself in default

(1) If any private street or part thereof is not levelled, paved, metalled, flagged, chanelled, sewered, drained, conserved or lighted to the satisfaction of Chairperson, he may by notice require the owners of such street or part and the owners of the lands and buildings fronting or abutting on such street or part to carry out any work which in his opinion may be necessary, and within such time as may be specified in such notice.

(2) If such work is not carried out within the time specified in the notice, the Chairperson, may, if he thinks fit, execute it and the expenses incurred shall be paid by the owners referred to in sub-section (1) in such proportion as may be determined by the Chairperson and shall be recoverable from them as an arrear of tax under this Act.

Section 220. Right of owner to require streets to be declared public

If any street has been levelled, paved, metalled, flagged, channelled, sewered, drained, conserved and lighted under the provisions of section 219, the Chairperson may, and on the requisition of a majority of the owners referred to in sub-section (1) of that section shall, declare such a street to be a public street and thereupon the street shall vest in the Council.

Encroachments on streets

Section 221. Prohibition of projections upon streets, etc

(1) [1][No] person shall erect, set up, add to, or place against or in front of any premises any structure or fixture which will-

(a) overhang, jut or project into, or in any way encroach upon, and obstruct in any way the safe or convenient passage of the public along any street, or

(b) jut or project into or encroach upon any drain or open channel in any street so as in any way to interfere with the use or proper working of such drain or channel or to impede the inspection or cleansing thereof.

(2) The Chairperson may by notice require the owner or occupier of any premises to remove, or to take such other action as he may direct in relation to, any structure or fixture which has been erected, set up, added to or placed against, or in front of, the said premises in contravention of this section.

(3) If the occupier of the said premises removes or alters any structure or fixture in accordance with such notice, he shall be entitled, unless the structure or fixture was erected, set up or placed by himself, to credit into account with the owner of the premises for all reasonable expenses incurred by him in complying with the notice.

[1] Subs. by Act 8 of 2026, s. 2 and Sch. for "Except as provided in s. 222, no" (w.e.f. 15-05-2026).

Section 222. Projections over streets may be permitted in certain cases

[Projections over streets may be permitted in certain cases.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 223. Ground floor doors, etc., not to open outwards on streets

The Chairperson may at any time by notice require the owner of any premises on the ground floor of which any door, gate, bar, or window opens outwards upon a street or upon any land required for the improvement of a street in such manner, as in the opinion of the Chairperson, to obstruct the safe or convenient passage of the public along such street, to have the said door, gate, bar or window altered so as not to open outwards.

Section 224. Prohibition of structures or fixtures which cause obstruction in street

(1) No person shall, except with the permission of the Chairperson granted in this behalf, erect or set up any wall, fence, rail, post, step, booth or other structure whether fixed or movable or whether of a permanent or temporary nature, or any fixture in or upon any street or upon or over any open channel, drain, well or tank in any street so as to form an obstruction to, or an encroachment upon, or a projection over, or to occupy any portion of such street, channel, drain, well or tank.

(2) Nothing in this section shall apply to any erection or thing to which clause (c) of sub-section (1) of section 229 applies.

Section 225. Prohibition of deposit, etc., of things in streets

(1) No person shall, except with the permission of the Chairperson and on payment of such fee as he in each case thinks fit, place or deposit upon any street, or upon any open channel, drain or well in any street or upon any public place any stall, chair, bench, box, ladder, bale, or other thing whatsoever so as to form an obstruction thereto or encroachment thereon.

(2) Nothing in sub-section (1) applies to building material.

Section 226. Power to remove anything deposited or exposed for sale in contravention of this Act

The Chairperson may, without notice, cause to be removed-

(a) any stall, chair, bench, box, ladder, bale, or other thing whatsoever, placed, deposited, projected, attached or suspended in, upon, from or to any place in contravention of this Act.

(b) any article whatsoever hawked or exposed for sale on any public street or in other public place in contravention of this Act and any vehicle, package, box or any other thing in or on which such article is placed.

Section 227. Prohibition of the tethering of animals and milking of cattle

(1) No person shall tether any animal or cause or permit the same to be tethered in any public street or public place.

(2) No person shall milk or cause or permit to be milked any cow or buffalo in any street or public place.

(3) Any animal tethered or any cow or buffalo found being milked as aforesaid in any street may be removed by the Chairperson or any municipal officer or employee and be impounded and dealt with under the provisions of the Cattle-trespass Act, 1871 (1 of 1871).

Provision concerning execution of works in or near to streets

Section 228. Precautions during repair of streets

(1) The Chairperson shall, so far as is practicable, during the construction or repair of any public street, or any municipal drain or any premises vested in the Council-

(a) cause the same to be fenced and guarded,

(b) take proper precautions against accident by shoring up and protecting the adjoining buildings,

(c) cause such bars, chains or posts to be fixed across or in any street in which any such work of construction or repair is under execution as are necessary in order to prevent the passage of vehicles or animals and avert danger.

(2) The Chairperson shall cause such street, drain or premises to be sufficiently lighted or guarded during night while under construction or repair.

(3) The Chairperson shall, with all reasonable speed, cause the said work to be completed, the ground to be filled in, the street, drain or premises to be repaired and the rubbish occasioned thereby to be removed.

(4) No person shall, without the permission of the Chairperson or other lawful authority, remove any bar, chain, post or shorting, timber, or remove or extinguish any light set up under this section.

Section 229. Streets not to be opened or broken up and building materials not to be deposited thereon without permission

(1) No person other than the Chairperson or a municipal officer or other municipal employee shall, without the written permission of the Chairperson-

(a) open, break up, displace, take up or make any alteration in, or cause any injury to the soil or pavement or any wall, fence, post, chain or other materials or thing forming part of any street; or

(b) deposit any building materials in any street; or

(c) set up in any street any scaffold or any temporary erection for the purpose of any work whatever, or any posts, bars, rails, boards or other things by way of an enclosure, for the purpose of making mortar or depositing bricks, lime, rubbish or other materials.

(2) Any permission granted under clause (b) or clause (c) of sub-section (1) shall be terminable at the discretion of the Chairperson on his giving not less than twenty-four hours' notice of such termination to the person to whom such permission was granted.

(3) The Chairperson may, without notice, cause to be removed any of the things referred to in clause (b) of sub-section (1) which has been deposited or set up in any street without the permission specified in that sub-section or which having been deposited or set up with such permission has not been removed within the period specified in the notice issued under sub-section (2):

Provided that nothing in this sub-section shall apply to cases under clause (b) or clause (c) of sub-section (1) in which an application for permission has been made with such fee as may be prescribed by the Chairperson in this behalf but no reply has been sent to the applicant within seven days from the date of the application.

Section 230. Disposal of things removed under this Chapter

(1) Any of the things caused to be removed by the Chairperson under this Chapter shall, unless the owner thereof turns up to take back such thing and pays to the Chairperson the charges for the removal and storage of such thing, be disposed of by the Chairperson by public auction or in such other manner and within such time as the Chairperson thinks fit.

(2) The charges for removal and storage and sale of the thing sold under sub-section (1) shall be paid out of the proceeds of the sale thereof and the balance, if any, shall be paid to the owner of the thing sold on a claim being made therefor within a period of one year from the date of sale, and if no such claim is made within the said period, shall be credited to the New Delhi Municipal Fund.

Naming and numbering of streets and numbering of buildings

Section 231. Naming and numbering of streets

(1) The Chairperson may-

(a) with the sanction of the Council determine the name or number by which any street or public place vested in the Council shall be known;

(b) cause to be put up or painted at a conspicuous part of any building, wall or place at or near each end, corner or entrance of such street or on some convenient part of such street, the name or number by which it is to be known;

(c) cause to be put up or painted on boards of suitable size the name of any public place vested in the Council;

(d) determine the number or sub-number by which any premises or part of such premises shall be known and cause such number or sub-number to be fixed to the side or outer door of such premises or to some place at the entrance of the enclosure thereof.

(2) No person shall destroy, remove, deface or in any way injure or alter any such name or number or sub-number or put up or paint any name or number or sub-number different from that put up or painted by order of the Chairperson.

Repair or enclosure of dangerous places

Section 232. Chairperson to take steps for repairing or enclosing dangerous places

(1) If any place is, in the opinion of the Chairperson, for want of sufficient repair or protection or enclosure, or owing to some work being carried on thereupon, dangerous or causing inconvenience to passengers along a street or to other persons including the owner or occupier of the said place, who have legal access thereto or to the neighbourhood thereof, the Chairperson may by notice in writing require the owner or occupier of such place to repair, protect or enclose the same or take such other step as shall appear to the Chairperson necessary in order to prevent the danger or inconvenience arising therefrom.

(2) The Chairperson may before giving any such notice or before the period of any such notice has expired, take such temporary measures as he thinks fit to prevent the danger or inconvenience arising therefrom; and any expense incurred by the Chairperson in taking such temporary measures shall be recoverable from the owner or occupier of the place as an arrear of tax under this Act.

Lighting of streets

Section 233. Measures for lighting

The Chairperson shall-

(a) take measures for lighting in a suitable manner all such public streets and public places as may be specified by him;

(b) procure, erect and maintain such number of lamps, lamp posts and other appurtenances as may be necessary for the said purpose;

(c) cause such lamps to be lighted by means of oil, electricity or such other light as he may determine.

Section 234. Prohibition of removal, etc., of lamps

[Prohibition of removal, etc., of lamps.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

CHAPTER XIV BUILDING REGULATIONS

Section 235. General superintendence, etc., of the Central Government

Notwithstanding anything contained in any other provision of this Act, the Chairperson shall exercise his powers and discharge his functions under this Chapter, under the general superintendence, direction and control of the Central Government.

Section 236. Definition

In this Chapter, unless the context otherwise requires, the expression "to erect a building" means-

(a) to erect a new building on any site whether previously built upon or not;

(b) to re-erect-

(i) any building of which more than one-half of the cubical contents above the level of the plinth have been pulled down, burnt or destroyed; or

(ii) any building of which more than one-half of the superficial area of the external walls above the level of the plinth has been pulled down; or

(iii) any frame building of which more than-half of the number of the columns or beams in the external walls have been pulled down;

(c) to convert into a dwelling house any building or any part of a building not originally constructed for human habitation or, if originally so constructed, subsequently appropriated for any other purpose;

(d) to convert into more than one dwelling house a building originally constructed as one dwelling house only;

(e) to convert into a place of religious worship or into a sacred building any place or building not originally constructed for such purpose;

(f) to roof or cover an open space between walls or buildings to the extent of the structure which is formed by the roofing or covering of such space;

(g) to convert two or more tenements in a building into a greater or lesser number;

(h) to convert into a stall, shop, warehouse or godown, stable, factory or garage any building not originally constructed for use as such or which was not so used before the change;

(i) to convert a building which when originally constructed was legally exempt from the operations of any building regulations contained in this Act or in any bye-laws made thereunder or in any other law, into a building which had it been originally erected in its converted form, would have been subject to such building regulations;

(j) to convert into or use as a dwelling house any building which has been discontinued as or appropriated for any purpose other than, a dwelling house.

Section 237. Prohibition of building without sanction

(1) No person shall erect or commence to erect any building or execute any of the works specified in section 239 except with the previous sanction of the Chairperson not otherwise than in accordance with the provisions of this Chapter and of the bye-laws made under this Act in relation to the erection of buildings or execution of works.

(2) In such areas as may be specified by bye-laws made in this behalf, no roof, verandah, pandal or wall of a building or no shed or fence shall be constructed or reconstructed of cloth, grass leaves, mats or other inflammable materials except with the written permission of the Chairperson, nor shall any such roof, verandah, pandal, wall, shed or fence constructed or reconstructed in any year be retained in a subsequent year except with fresh permission obtained in this behalf.

Section 238. Erection of building

(1) Every person who intends to erect a building shall apply for sanction by giving notice in writing of his intention to the Chairperson in such form and containing such information as may be prescribed by bye-laws made in this behalf.

(2) Every such notice shall be accompanied by such documents and plans as may be so prescribed.

Section 239. Applications for additions to, or repairs of, buildings

(1) Every person who intends to execute any of the following works, that is to say,-

(a) to make any addition to a building;

(b) to make any alteration or repairs to a building involving the removal or re-erection of any external or partly wall thereof or of any wall which supports the roof thereof to an extent exceeding one-half of such wall above the plinth level, such half to be measured in superficial metres;

(c) to make any alteration or repairs to a frame building involving the removal or re-erection of more than one-half of the columns or posts in any such wall thereof as aforesaid; or involving the removal or re-erection of any such wall thereof as aforesaid to an extent exceeding one-half of such wall above plinth level, such half to be measured in superficial metres;

(d) to make any alteration in a building involving-

(i) the sub-division of any room in such building so as to convert the same into two or more separate rooms; or

(ii) the conversion of any passage or space in such building into a room or rooms;

(e) to repair, remove, construct, reconstruct or make any addition to or structural alteration in any portion of a building abutting on a street which stands within the regular line of such street;

(f) to close permanently any door or window in an external wall;

(g) to remove or reconstruct the principal staircase or to alter its position,

shall apply for sanction by giving notice in writing of his intention to the Chairperson in such form and containing such information as may be prescribed by bye-laws made in this behalf.

(2) Every such notice shall be accompanied by such documents and plans as may be so prescribed.

Section 240. Conditions of valid notice

(1) A person giving the notice required by section 238 shall specify the purpose for which it is intended to use the building to which such notice relates; and a person giving the notice required by section 239, shall specify whether the purpose for which the building is being used is proposed or likely to be changed by the execution of the proposed work.

(2) No notice shall be valid until the information required under sub-section (1) and any further information and plans which may be required by bye-laws made in this behalf have been furnished to the satisfaction of the Chairperson alongwith the notice.

Section 241. Sanction or refusal of building or work

(1) The Chairperson shall sanction the erection of a building or the execution of a work unless such building or work would contravene any of the provisions of sub-section (2) of this section [1]***.

(2) The grounds on which the sanction of a building or work may be refused shall be the following, namely:-

(a) that the building or work or the use of the site for the building or work or any of the particulars comprised in the site plan, ground plan, elevation, section or specification would contravene the provisions of any bye-law made in this behalf or of any other law or rule, bye-law or order made under such other law;

(b) that the notice for sanction does not contain the particulars or is not prepared in the manner required under the bye-laws made in this behalf;

(c) that any information or documents required by the Chairperson under this Act or any bye-laws made thereunder has or have not been duly furnished;

(d) that in cases falling under section 216, lay-out plans have not been sanctioned in accordance with section 217;

(e) that the building or work would be an encroachment on Central Government or Government land or land vested in the Council;

(f) that the site of the building or work does not abut on a street or projected street and that there is no access to such building or work from any such street by a passage or pathway appertaining to such site;

(g) that the land on which it is proposed to erect or re-erect such building is vested in the Central Government or Government or in the Council, and the consent of the Government concerned or, as the case may be, of the Council has not been obtained, or if the title of the land is in dispute between such person and the Council or any Government, or for any other reason, to be communicated in writing to the person, which is deemed to be just and sufficient as effecting such building.

(3) The Chairperson shall communicate the sanction to the person who has given the notice; and where he refuses sanction on any of the grounds specified in sub-section (2) [2]*** he shall record a brief statement of his reasons for such refusal and the Chairperson shall communicate the refusal alongwith the reasons therefor to the person who has given the notice.

(4) The sanction or refusal as aforesaid shall be communicated in such manner as may be specified in the bye-laws made in this behalf.

[1] The words "or the provisions of section 245" omitted by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

[2] The words and figures "or under section 245" omitted by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 242. When building or work may be proceeded with

(1) Where within a period of sixty days or in cases falling under clause (b) of section 236 within a period of thirty days, after the receipt of any notice under section 238 or section 239 or of the further information, if any, required under section 240, the Chairperson does not refuse to sanction the building or work or upon refusal, does not communicate the refusal to the person who has given the notice, the Chairperson shall be deemed to have accorded sanction to the building or work and the person by whom the notice has been given shall be free to commence and proceed with the building or work in accordance with his intention as expressed in the notice and the documents and plans accompanying the same:

Provided that if it appears to the Chairperson that the site of the proposed building or work is likely to be affected by any scheme of acquisition of land for any public purpose or by any proposed regular line of a public street or extension, improvement, widening or alteration of any street, the Chairperson may withhold sanction of the building or

work for such period not exceeding three months as he deems fit and the period of sixty days or as the case may be, the period of thirty days specified in this sub-section shall be deemed to commence from the date of the expiry of the period for which the sanction has been withheld.

(2) Where a building or work is sanctioned or is deemed to have been sanctioned by the Chairperson under sub-section (1), the person who has given the notice shall be bound to erect the building or execute the work in accordance with such sanction but not so as to contravene any of the provisions of this Act or any other law or of bye-law made thereunder.

(3) If the person or anyone lawfully claiming under him does not commence the erection of the building or the execution of the work within one year of the date on which the building or work is sanctioned or is deemed to have been sanctioned, he shall have to give notice under section 238 or, as the case may be, under section 239 for fresh sanction of the building or the work and the provisions of this section shall apply in relation to such notice as they apply in relation to the original notice.

(4) Before commencing the erection of a building or execution of a work within the period specified in sub-section (3), the person concerned shall give notice to the Chairperson of the proposed date of the commencement of the erection of the building or the execution of the work:

Provided that if the commencement does not take place within seven days of the date so notified, the notice shall be deemed not to have been given and a fresh notice shall be necessary in this behalf.

Section 243. Sanction accorded under misrepresentation

If at any time after the sanction of any building or work has been accorded, the Chairperson is satisfied that such sanction was accorded in consequence of any material misrepresentation or fraudulent statement contained in the notice given or information furnished under sections 238, 239 and 240, he may by order in writing cancel for reasons to be recorded such sanction and any building or work commenced, erected or done shall be deemed to have been commenced, erected or done without such sanction:

Provided that before making any such order the Chairperson shall give reasonable opportunity to the person affected as to why such order should not be made.

Section 244. Buildings at corners of streets

The Chairperson may require any building intended to be erected at the corner of two streets to be rounded off or splayed or cut off to such height and to such extent as he may determine, and may acquire such portion of the site at the corner as he may consider necessary for public convenience or amenity.

Section 245. Provisions as to buildings and works on either side of new streets

[Provisions as to buildings and works on either side of new streets.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 246. Period for completion of building or work

The Chairperson, when sanctioning the erection of a building or execution of a work, shall specify a reasonable period after the commencement of the building or work within which the building or work is to be completed any if the building or work is not completed within the period so specified, it shall not be continued thereafter without fresh sanction obtained in the manner hereinbefore provided, unless the Chairperson on application made therefor has allowed an extension of that period.

Section 247. Order of demolition and stoppage of buildings or works in certain cases and appeal

(1) Where the erection of any building or execution of any work has been commenced, or is being carried on, or has been completed without or contrary to the sanction referred to in section 241 or in contravention of any condition subject to which such sanction has been accorded or in contravention of any of the provisions of this Act or bye-laws made thereunder, the Chairperson may, in addition to any other action that may be taken under this Act, make an order directing that such erection or work shall be demolished by the person at whose instance the erection or work has been commenced or is being carried on 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 demolition with a brief statement of the reasons therefor has been delivered to that person), as may be, specified in the order of demolition:

Provided that no order of demolition shall be made unless the person has been given by means of a notice served in such manner as the Chairperson may think fit, a reasonable opportunity of showing cause why such order shall not be made:

Provided further that where the erection or work has not been completed, the Chairperson may by the same order or by a separate order, whether made at the time of the issue of the notice under the first proviso or at any other time, direct the person to stop the erection or work until the expiry of the period within which an appeal against the order of demolition, if made, may be preferred under sub-section (2).

(2) Any person aggrieved by an order of the Chairperson made under sub-section (1) may prefer an appeal against the order to the Appellate Tribunal within the period specified in the order for the demolition of the erection or work to which it relates.

(3) Where an appeal is preferred under sub-section (2) against an order of demolition the Appellate Tribunal may, subject to the provisions of sub-section (3) of section 255 stay the enforcement of that order on such terms, if any, and for such period, as it may think fit:

Provided that where the erection of any building or execution of any work has not been completed at the time of the making of the order of demolition, no order staying the enforcement of the order of demolition shall be made by the Appellate Tribunal unless security, sufficient in the opinion of the said Tribunal has been given by the appellant for not proceeding, with such erection or work pending the disposal of the appeal.

(4) No court shall entertain any suit, application or order proceeding for injunction or other relief against the Chairperson to restrain him from taking any action or making any order in pursuance of the provisions of this section.

(5) Subject to an order made by the Administrator on appeal under section 256, every order made by the Appellate Tribunal on appeal under this section, and subject to the orders of the Administrator and the Appellate Tribunal on appeal, the order of demolition made by the Chairperson shall be final and conclusive.

(6) Where no appeal has been preferred against an order of demolition made by the Chairperson under sub-section (1) or where an order of demolition made by the Chairperson under that sub-section has been confirmed on appeal, whether with or without variation, by the Appellate Tribunal and by the Administrator in a case where an appeal has been preferred against the order of the Appellate Tribunal, the person against whom the order has been made shall comply with the order within the period specified therein, or as the case may be, within the period, if any fixed by the Appellate Tribunal or the Administrator on appeal and on the failure of the person to comply with the order within such period, the Chairperson may himself cause the erection or the work to which the order relates to be demolished and the expenses of such demolition shall be recoverable from such person as an arrear of tax under this Act.

Section 248. Order of stoppage of buildings or works in certain cases

(1) Where the erection of any building or execution of any work has been commenced or is being carried on (but has not been completed) without or contrary to the sanction referred to in section 241, or in contravention of any condition subject to which such sanction has been accorded or in contravention of any provisions of this Act or bye-laws made thereunder, the Chairperson may in addition to any other action that may be taken under this Act, by order require the person at whose instance the building or the work has been commenced or is being carried on to stop the same forthwith.

(2) If an order made by the Chairperson under section 247 or under sub-section (1) of this section directing any person to stop the erection of any building or execution of any work is not complied with, the Chairperson may require any police officer to remove such person and all his assistants and workmen from the premises or to seize any construction material, tool, machinery, scaffolding or other things used in the erection of any building or execution of any work within such time as may be specified in the requisition and such police officer shall comply with the requisition accordingly.

(3) Any of the things caused to be seized by the Chairperson under sub-section (2) shall be disposed of by him in the manner specified in section 230.

(4) After the requisition under sub-section (2) has been complied with, the Chairperson may, if he thinks fit, depute by a written order a police officer or a municipal officer or other municipal employee of the Council to watch the premises in order to ensure that the erection of the building or the execution of the work is not continued.

(5) Where a police officer or a municipal officer or other municipal employee has been deputed under sub-section (4) to watch the premises, the cost of such deputation shall be paid by the person at whose instance such erection or execution is being continued or to whom notice under sub-section (1) was given and shall be recoverable from such person as an arrear of tax under this Act.

Section 249. Power of Chairperson to require alteration of work

(1) The Chairperson may at any time during the erection of any building or execution of any work or at any time after the completion thereof by a written notice of not less than seven days specify any matter in respect of which such

erection or execution is without or contrary to the sanction referred to in section 241 or is in contravention of any condition of such sanction or any of the provisions of this Act or any bye-laws made thereunder and require the person who gave the notice under section 238 or section 239 or the owner of such building or work either-

(a) to make such alterations as may be specified in the said notice with the object of bringing the building or work in conformity with the said sanction, condition or provisions, or

(b) to show cause why such alterations should not be made, within a period stated in the notice.

(2) If the person or the owner does not show cause as aforesaid, he shall be bound to make the alterations specified in the notice.

(3) If the person or the owner shows cause as aforesaid, the Chairperson shall by an order either cancel the notice issued under sub-section (1) or confirm the same subject to such modifications as he thinks fit.

Section 250. Power to seal unauthorised constructions

(1) It shall be lawful for the Chairperson, at any time, before or after making an order of demolition under section 247 or of the stoppage of the erection of any building or execution of any work under section 247 or under section 248, to make an order directing the sealing of such erection or work or of the premises in which such erection or work is being carried on or has been completed 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 erection or work.

(2) Where any erection or work or any premises in which any erection or work is being carried on, has or have been sealed, the Chairperson may, for the purpose of demolishing such erection or work in accordance with the provisions of this Act, order such seal to be removed.

(3) No person shall remove such seal except-

(a) under an order made by the Chairperson under sub-section (2); or

(b) under an order of an Appellate Tribunal or the Administrator, made in an appeal under this Act.

Section 251. Completion certificates

(1) Every person who employs an architect registered with the Council or an architects or an engineer or a person approved by the Chairperson to design or erect a building or execute any work shall, within one month after the completion of the erection of the building or execution of the work, deliver or send or cause to be delivered or sent to the Chairperson a notice in writing of such completion accompanied by a certificate in the form prescribed by bye-laws made in this behalf and shall give to the Chairperson all necessary facilities for the inspection of such building or work.

(2) No person shall occupy or permit to be occupied any such building or use or permit to be used any building or a part thereof effected by any such work until permission has been granted by the Chairperson in this behalf in accordance with bye-laws made under this Act:

Provided that if the Chairperson fails within a period of thirty days after the receipt of the notice of completion to communicate its refusal to grant such permission, such permission shall be deemed to have been granted.

Section 252. Restrictions on uses of buildings

No person shall, without the written permission of the Chairperson, or otherwise than in conformity with the conditions, if any, of such permission-

(a) use or permit to be used for human habitation any part of a building not originally erected or authorised to be used for that purpose or not used for that purpose before any alteration has been made therein by any work executed in accordance with the provisions of this Act and the bye-laws made thereunder;

(b) change or allow the change of the use of any land or building;

(c) convert or allow the conversion of one kind of tenement into another kind.

Section 253. Appellate Tribunal

(1) The Central Government shall, by notification in the Official Gazette, constitute one or more Appellate Tribunals with headquarters at Delhi or New Delhi, for deciding appeals preferred under section 247 or section 254.

(2) An Appellate Tribunal shall consist of one person to be appointed by the Central Government on such terms and conditions of service as may be prescribed by rules.

(3) A person shall not be qualified for appointment as the presiding officer of an Appellate tribunal unless he is, or has been, a district judge or an additional district judge or has, for at least ten years, held a judicial office in India.

(4) The Central Government may, if it so thinks fit, appoint one or more persons having special knowledge of, or experience in, matters involved in such appeals, to act as assessors to advise the Appellate Tribunal in the proceedings before it, but no advice of the assessors shall be binding on the Appellate Tribunal.

(5) The Central Government shall, by notification in the Official Gazette, define the territorial limits within which an Appellate Tribunal shall exercise its jurisdiction, and where different Appellate Tribunals have jurisdiction over the same territorial limits, the Central Government shall also provide for the distribution and allocation of work to be performed by such Tribunals.

(6) For the purpose of enabling it to discharge its functions under this Act, every Appellate Tribunal shall have a Registrar and such other staff on such terms and conditions of service as may be prescribed by rules:

Provided that the Registrar and staff may be employed jointly for all or any number of such Tribunals in accordance with the rules.

Section 254. Appeals against certain orders or notices issued under the Act

(1) Any person aggrieved by any of the following orders made or notices issued under this Act, may prefer an appeal against such order or notice to the Appellate Tribunal, namely:-

(a) an order according or disallowing sanction to a lay-out plan under section 217;

(b) an order directing the alteration or demolition of any street under section 218;

(c) a notice under sub-section (1) of section 219;

(d) a notice under sub-section (2) of section 221;

(e) an order directing the disposal of things removed under Chapter XIII or seized under section 248, or an order rejecting the claim of any person for the balance of the proceeds of sale of things so disposed of;

(f) an order sanctioning or refusing to sanction the erection of any building or the execution of any work under section 241;

(g) an order withholding sanction under the proviso to sub-section (1) of section 242;

(h) an order cancelling a sanction under section 243;

(i) an order requiring the rounding off, splaying or cutting off the height of a building intended to be erected, or for the acquisition of any portion of a site, under section 244;

[1]* * * * *

(k) an order requiring the stoppage of any erection or work under section 248;

(l) an order requiring the alteration of any building or work under section 249;

(m) an order directing the sealing of unauthorised constructions under section 250;

(n) an order refusing to grant permission under sub-section (2) of section 251;

(o) an order granting or refusing permission under section 252;

(p) any such other order or notice relating to or arising out of planned development under the provisions of this Act as may be prescribed by rules.

(2) An appeal under this section shall be filed within thirty days from the date of the order or notice 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 or notice appealed against and by such fees as may be prescribed by rules.

[1] Cl. (j) omitted by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 254A. Appeals against penalties

[1][(1) Any person on whom penalty has been imposed other than a penalty imposed under the proviso to sub-section (9) of section 69B and clause (d) of section 69D under any of the provisions of this Act or any bye-laws or rules made thereunder may file an appeal to the appellate authority who shall be an officer designated by the Chairperson and who shall be not less than one rank above the officer who has imposed the said penalty.

(2) Every appeal under sub-section (1) shall be filed within thirty days from the date of receipt of notice of the penalty, in such form and manner as may be specified by the bye-laws made by the Council.

(3) The appellate authority may, after giving the appellant an opportunity of being heard, pass such summary order confirming, modifying or setting aside the penalty.

(4) The appellate authority shall dispose of the appeal within a period of sixty days from the date of its filing.

(5) The amount of penalty imposed under this Act, if not paid, may be recovered as an arrear of tax.]

[1] Ins. by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 255. Procedure of the Appellate Tribunal

(1) The Appellate Tribunal may, after giving the parties to the appeal, an opportunity of being heard, pass such orders thereon as it thinks fit, confirming, modifying or annulling the order or notice appealed against or may refer the case back to the authority or officer against whose order or notice the appeal is filed, for a fresh order or notice, after taking additional evidence, if necessary, or such other action as the Appellate Tribunal may specify.

(2) The Appellate Tribunal shall send a copy of every order passed by it to the parties to the appeal.

(3) No Appellate Tribunal shall, in any appeal pending before it in respect of any order or notice under this Act, make an interim order (whether by way of injunction or stay) against the Council or against any officer or servant of the Council acting or purporting to act in his official capacity, unless an opportunity is given to the Council or its officer or servant to be heard in the matter:

Provided that the Appellate Tribunal may without giving an opportunity as aforesaid make an interim order as an exceptional measure if it is satisfied for reasons to be recorded by it in writing that it is necessary so to do for preventing any loss being caused to the person filing the appeal which cannot be adequately compensated in money:

Provided further that every such interim order shall, if it is not vacated earlier, cease to have effect on the expiry of a period of fourteen days from the date on which it is made unless before the expiry of that period, the Appellate Tribunal confirms or modifies that order after giving to the Council or its officer or servant an opportunity of being heard.

(4) Subject to rules that may be made by the Central Government in this behalf, the awarding of damages in and the costs of, and incidental to, any appeal before an Appellate Tribunal, shall be in its discretion and it shall have full power to determine by and to whom and to what extent and subject to what conditions, if any, such damages or costs are to be paid and to give, in its order disposing of an appeal, necessary directions for the purposes aforesaid.

(5) An order of the Appellate Tribunal made under this section may be executed or caused to be executed by it on the application of the person in whose favour the order has been made.

(6) In hearing and deciding an appeal or in the execution of an order, an Appellate Tribunal shall follow such procedure as may be prescribed by rules.

(7) Every Appellate Tribunal, shall in addition to the powers conferred on it under this Act, have the same power as are vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely:-

(a) summoning and enforcing the attendance of persons and examining them on oath;

(b) requiring the discovery and inspection of documents;

(c) receiving evidence on affidavits;

(d) requisitioning any public record or copies thereof from any court or office;

(e) issuing commissions for the examination of witnesses or documents; and

(f) any other matter which may be prescribed by rules,

and every proceeding of an Appellate Tribunal in hearing or deciding an appeal or in connection with the execution of its order, shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228 and for the purpose of section 196 of the Indian Penal Code (45 of 1860), and every Appellate Tribunal shall be deemed to be a Civil Court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

Section 256. Appeal against orders of Appellate Tribunal

(1) An appeal shall lie to the Administrator, against an order of the Appellate Tribunal made in an appeal under section 247 or section 254, confirming, modifying or annulling an order made or notice issued under this Act.

(2) The provisions of sub-sections (2) and (3) of section 254 and section 255 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 those sections.

(3) An order of the Administrator on an appeal under this section, and subject only to such order, an order of the Appellate Tribunal under section 254, and subject to such orders of the Administrator or an Appellate Tribunal, an order or notice referred to in sub-section (1) of that section, shall be final.

Section 257. Bar of jurisdiction of courts

(1) After the commencement of this Act, no court shall entertain any suit, application or other proceedings in respect of any order or notice appealable under section 247 or section 254 and no such order or notice shall be called in question otherwise than by preferring an appeal under those sections.

(2) Notwithstanding anything contained in sub-section (1), every suit, application or other proceeding pending in any court immediately before the commencement of this Act, in respect of any order or notice appealable under section 247 or section 254, shall continue to be dealt with and disposed of by that court as if the said section had not been brought into force.

Section 258. Removal of dangerous buildings

(1) If it appears to the Chairperson at any time that any building is in a ruinous condition, or likely to fall, or in any way dangerous to any person occupying, resorting to or passing by such building or any other building or place in the neighbourhood of such building, the Chairperson may, by order in writing, require the owner or occupier of such building to demolish, secure or repair such building or do one or more of such things within such period as may be specified in the order, so as to prevent all cause of danger therefrom.

(2) The Chairperson may also, if he thinks fit, require such owner or occupier by the said order either forthwith or before proceeding to demolish, secure or repair the building, to set up a proper and sufficient hoard or fence for the protection of passers-by and other persons, with a convenient platform and hand-rail wherever practicable to serve as a foot-way for passengers outside of such hoard or fence.

(3) If it appears to the Chairperson that danger from a building which is in a ruinous condition or likely to fall is imminent, he may, before making the order aforesaid, fence off, demolish, secure or repair the said building or take such steps as may be necessary to prevent the danger.

(4) If the owner or occupier of the building does not comply with the order within the period specified therein, the Chairperson shall take such steps in relation to the building as to prevent all cause of danger therefrom.

(5) All expenses incurred by the Chairperson in relation to any building under this section shall be recoverable from the owner or occupier thereof as an arrear of tax under this Act.

Section 259. Power to order building to be vacated in certain circumstances

(1) The Chairperson may by order in writing direct that any building which in his opinion is in a dangerous condition or is not provided with sufficient means of egress in case of fire or is occupied in contravention of section 251 be vacated forthwith or within such period as may be specified in the order:

Provided that at the time of making such order the Chairperson shall record a brief statement of the reasons therefor.

(2) If any person fails to vacate the building in pursuance of such order the Chairperson may direct any police officer to remove such person from the building and the police officer shall comply with such direction accordingly.

(3) The Chairperson shall, on the application of any person who has vacated, or been removed from any building in pursuance of an order made by him, re-instate such person in the building on the expiry of the period for which the order has been in force according as the circumstances prevailing at that time permit.

Section 260. Power of the Central Government to make bye-laws

(1) The Central Government may, by notification in the Official Gazette, make bye-laws for carrying out the provisions of this Chapter:

Provided that all bye-laws made by the New Delhi Municipal Committee under sub-section (3) of section 189 of the Punjab Municipal Act, 1911 (Punjab Act 3 of 1911) and in force immediately before such commencement, shall be deemed to have been made under the provision of this section and shall continue to have the same force and effect after such commencement until it is amended, varied, rescinded or superseded under the provision of this section.

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

(a) the regulation or restriction of the use of sites for buildings for different areas;

(b) the regulation or restriction of buildings in different areas;

(c) the form of notice of erection of any building or execution of any work and the fee in respect of the same;

(d) the plans and documents to be submitted together with such notice and the information and further information to be furnished;

(e) the level and width of foundation, level of lowest floor and stability of structure;

(f) the construction of buildings and the materials to be used in the construction of buildings;

(g) the height of buildings whether absolute or relative to the width of streets or to different areas;

(h) the number and height of storeys composing a building and the height of rooms and the dimensions of rooms intended for human habitation;

(i) the provision of open spaces external and internal, and adequate means of light and ventilation;

(j) the provision of means of egress in case of fire, fire-escapes and water lifting devices;

(k) the provision of secondary means of access for the removal of house refuse;

(l) the materials and methods of construction of external and party walls, roofs and floors;

(m) the position, materials and methods of construction of hearths, smoke-escapes, chimneys, stair-cases, latrines, drains and cesspools;

(n) the provision of lifts;

(o) the paving of yards;

(p) the restrictions on the use of inflammable materials in buildings;

(q) the restriction on construction of foundation on certain sites;

(r) the measures to be taken to protect building from dump arising from sub-soil;

(s) the wells, tanks and cisterns and pumps for the supply of water for human consumption in connection with buildings;

(t) in the case of wells, the dimensions of the well, the manner of enclosing it and; if the well is intended for drinking purposes, the means which shall be used to prevent pollution of the water;

(u) the supervision of buildings;

(v) the setting back of garages and shops from the regular line of a street;

(w) the construction of partable structures and permission for such construction.

(3) The draft of the bye-laws referred to in sub-section (1) shall be forwarded to the Chairperson, who shall cause the same to be published in the Official Gazette for inviting objections and suggestions from the public within thirty days from the date of such publication.

(4) The Chairperson shall forward the draft bye-laws to the Central Government along with his recommendations and the objections and suggestions received from the public, within three months of their publication in the Official Gazette.

(5) The Central Government may issue such directions to the Chairperson as it thinks fit, for ensuring proper implementation of the bye-laws made under this section.

CHAPTER XV SANITATION AND PUBLIC HEALTH

Conservancy and sanitation

Section 261. Provision for daily cleansing of streets and removal of rubbish and filth

(1) For the purpose of securing the efficient scavenging and cleansing of all streets and premises, the Chairperson shall provide-

(a) for the daily surface-cleansing of all streets and the removal of the sweepings therefrom, and

(b) for the removal of the contents of all receptacles and depots and of the accumulations at all places provided or appointed by him under the provisions of this Act for the temporary deposit of rubbish, filth and other polluted and obnoxious matter.

(2) The Chairperson may, by public notice, issue directions as to the time at which, the manner in which, and the conditions subject to which, any matter referred to in sub-section (1) may be removed along a street or may be deposited or otherwise disposed of.

Section 262. Rubbish, etc., to be the property of the Council

All matters deposited in public receptacles, depots and places provided or appointed under section 263 and all matters collected by municipal employees or contractors in pursuance of section 261 and section 265 shall be the property of the Council.

Section 263. Provision or appointment of receptacles, depots and places for rubbish, etc

(1) The Chairperson shall-

(a) provide or appoint in proper and convenient situations public receptacles, depots or places for the temporary deposit of rubbish, filth and other polluted and obnoxious matter and for the final disposal of rubbish, filth and other polluted and obnoxious matter;

(b) provide dustbins for the temporary deposit of rubbish;

(c) provide vehicles or other suitable means for the removal of rubbish and offensive matter; and

(d) provide covered vehicles or vessels for the removal of filth and other polluted and obnoxious matter.

(2) Different receptacles, depots or places may be provided or appointed for the temporary deposit or final disposal of any of the matters specified in sub-section (1).

(3) The Chairperson shall make adequate provision for preventing receptacles, depots, places, dustbins, vehicles and vessels referred to in sub-section (1) from becoming sources of nuisance.

Section 264. Duty of owners and occupiers to collect and deposit rubbish, etc

It shall be the duty of the owners and occupiers of all premises-

(a) to have the premises swept and cleaned;

(b) to cause all filth, rubbish and other polluted and obnoxious matter to be collected from their respective premises and to be deposited at such times as the Chairperson, by public notice prescribes, in public receptacles, depots or places provided or appointed under section 263 for the temporary deposit or final disposal thereof;

(c) to provide receptacles of the type and in the manner prescribed by the Chairperson for the collection therein of all filth, rubbish and other polluted and obnoxious matter from such premises and to keep such receptacles in good condition and repair.

Section 265. Collection and removal of filth and polluted matter

(1) It shall be the duty of the owner and occupier of every premises situate in any portion of New Delhi in which there is not a latrine, or urinal connected by a drain with a municipal drain, to cause all filth and polluted and obnoxious matter accumulating upon such premises to be collected and removed to the nearest receptacle or depot provided for this purpose under section 263 at such times, in such vehicle or vessel by such route and with such precautions as the Chairperson may by public notice prescribe.

(2) It shall be lawful for the Chairperson to take or cause to be taken measures for the daily collection, removal and disposal of all filth and polluted and obnoxious matters from latrines, urinals and cesspools not connected by a drain with a municipal drain from all premises situate in any portion of New Delhi.

[1]* * * * *

[1] Sub-section (3) omitted by Act 8 of 2026 s. 2 and Sch. (w.e.f. 15-05-2026).

Section 266. Removal of rubbish, etc., accumulated on premises used as factories, workshop, etc

The Chairperson may, if he thinks fit,-

(a) by written notice require the owner or occupier of any premises used for carrying on any manufacture, trade or business or used as a factory, workshop, trade premises or market or in any way so that rubbish, filth and other polluted and obnoxious matter are accumulated in large quantities, to collect all such rubbish, filth and other polluted and obnoxious matter accumulating thereon and to remove the same at such times and in such carts or receptacles and by such routes as may be specified in the notice to a depot or place provided or appointed under section 263, or

(b) after giving such owner or occupier notice of his intention, cause all rubbish, filth and other polluted and obnoxious matter accumulated in such premises to be removed, and charge the said owner or occupier for such removal such fee as may, with the sanction of the Council be specified in the notice issued under clause (a).

Section 267. Prohibition against accumulation of rubbish, etc

(1) No owner or occupier of any premises shall keep or allow to be kept for more than twenty-four hours or otherwise than in a receptacle approved by the Chairperson, any rubbish, filth and other polluted and obnoxious matter on such premises or any place belonging thereto or neglect to employ proper means to remove such rubbish, filth and other polluted and obnoxious matter from, or to cleanse, such receptacle and to dispose of such rubbish, filth and other polluted and obnoxious matter in the manner directed by the Chairperson, or fail to comply with any requisition of the

Chairperson as to the construction, repair, pavement or cleansing of any latrine, or urinal on or belonging to the premises.

(2) No owner or occupier shall allow the water of any sink, drain, latrine or urinal or any rubbish, filth and other polluted and obnoxious matter to run down on or to, or be thrown or put upon, any street or into any drain in or along the side of any street except in such manner as shall prevent any avoidable nuisance from any such water, rubbish, filth or other polluted and obnoxious matter.

[1]* * * * *

[1] Sub-section (3) omitted s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 268. Prohibition in respect of air pollutant

No owner or occupier of any premises shall allow or cause to be allowed any air pollutant above the standards, laid down under clause (g) of sub-section (1) of section 17 of the Air (Prevention and Control of Pollution) Act, 1981 (14 of 1981).

Section 269. Chairperson's power to get premises scavenged and cleansed

If any premises are not properly and regularly scavenged or cleansed or are in a filthy and unwholesome condition, the Chairperson may cause them to be scavenged and cleansed and recover the expenses from the owner or, as the case may be, occupier as an arrear of tax under this Act.

Section 270. Public latrines, urinals, etc

(1) The Chairperson shall provide and maintain in proper and convenient places a sufficient number of public latrines and urinals.

(2) Such public latrines and urinals shall be so constructed as to provide separate compartments for each sex and not to be a nuisance, and shall be provided with all necessary conservancy establishments, and shall regularly be cleansed and kept in proper order.

Latrines and urinals

Section 271. Construction of latrines and urinals

[Construction of latrines and urinals.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 272. Latrines and urinals, etc., in new buildings

[Latrines and urinals, etc., in new buildings.] Omitted, s. 2 and Sch. ibid., (w.e.f. 15-05-2026).

Section 273. Latrines and urinals for labourers, etc

Every person employing workmen, labourers or other persons exceeding twenty in number shall provide and maintain for the separate use of persons of each sex so employed, latrines and urinals of such description and number as the Chairperson may by notice require and within such time as may be fixed in the notice and shall keep the same in clean and proper order.

Section 274. Provision of latrines and urinals for markets, etc

The Chairperson may by notice require any owner or manager of a market, cart stand, cattle shed, theatre, railway station and other places of public resort within such time as may be specified in such notice to provide and maintain for the separate use of persons of each sex, latrines and urinals of such description and number and in such position as may be specified and to keep the same in clean and proper order.

Section 275. Other provisions as to private latrines

[Other provisions as to private latrines.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Removal of congested buildings and buildings unfit for human habitation

Section 276. Removal of congested buildings

(1) Where it appears to the Chairperson that any block of buildings is in an unhealthy condition by reasons of the manner in which the buildings are crowded together, or of the narrowness, closeness, or faulty arrangement of streets, or of the want of proper drainage and ventilation, or of the impracticability of cleansing the buildings or other

similar cause, he shall cause the block to be inspected to by the officer authorised by him and such officer shall make a report in writing the Chairperson regarding the sanitary condition of the block.

(2) If upon receipt of such report the Chairperson considers that the sanitary condition of the block is likely to cause risk of disease to the inhabitants of the buildings or of the neighbourhood or otherwise to endanger the public health, he shall with the approval of the Council select the buildings which in his opinion should wholly or in part be removed in order to abate the unhealthy condition of the block and may thereupon by notice in writing require the owners of such building remove them within such period as may be specified in the notice:

Provided that before issuing the notice reasonable opportunity shall be afforded to the owners to show cause why the buildings should not be removed:

Provided further that the Chairperson shall make compensation to the owners for any buildings so removed which may have been erected under proper authority.

(3) If a notice under sub-section (2) requiring any owner of a building to remove it is not complied with, then, after the expiration of the time specified in the notice the Chairperson may himself remove or cause to be removed the building required to be removed by the notice and recover from owner of the building the expenses of such removal as an arrear of tax under this Act.

Section 277. Power of Chairperson to require improvement of building unfit for human habitation

(1) Where the Chairperson upon information in his possession is satisfied that any building is in any respect unfit for human habitation, he may, unless in his opinion the building is not capable at a reasonable expense of being rendered fit, serve upon the owner of the building a notice requiring him within such time not being less than thirty days as may be specified in the notice to execute the works of improvement specified therein and stating that in his opinion those works will render the building fit for human habitation.

(2) In addition to serving a notice under this section on the owner the Chairperson may serve a copy of the notice on any other person having an interest in the building whether as a lessee, mortgagee or otherwise.

(3) In determining whether a building can be rendered fit for human habitation at a reasonable expense regard shall be had to the estimated cost of the work necessary to render it so fit and the value which it is estimated that the building will have when the works are completed.

Section 278. Enforcement of notice requiring execution of works of improvement

If a notice under section 277 requiring the owner of the building to execute works of improvement is not complied with, then after the expiration of the time specified in the notice the Chairperson may himself do or cause to be done the works required to be done by the notice and recover the expenses incurred in connection therewith as an arrear of tax under this Act.

Section 279. Power of Chairperson to order demolition of buildings unfit for human habitation

(1) Where the Chairperson upon any information in his possession is satisfied that any building is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit he shall serve upon the owner of the building and upon any other person having an interest in the building, whether as a lessee, mortgagee or otherwise a notice to show cause within such time as may be specified in the notice as to why an order of demolition of the building should not be made.

(2) If any of the person upon whom a notice has been served under sub-section (1) appears in pursuance thereof before the Chairperson and gives an undertaking to him that such person shall, within a period specified by the Chairperson, execute such works of improvement in relation to the building as will, in the opinion of the Chairperson, render the building fit for human habitation or an undertaking that the building shall not be used for human habitation until the Chairperson on being satisfied that it has been rendered fit for that purpose, cancels the undertaking, the Chairperson shall not make an order of demolition of the building.

(3) If no such undertaking as is mentioned in sub-section (2) is given or if in a case where any such undertaking has been given, any work of improvement to which the undertaking relates is not carried out within the specified period, or the building is at any time used in contravention of the terms of the undertaking, the Chairperson shall, forthwith make an order of demolition of the building requiring that the building shall be vacated within a period to be specified in the order not being less than thirty days from the date of the order, and that it shall be demolished within six weeks after the expiration of that period.

(4) Where an order of demolition of building under this section has been made, the owner of the building or any other person having an interest therein, shall demolish that building within the time specified in that behalf by the order, and

if the building is not demolished within that time, the Chairperson shall demolish or cause to be demolished the building and sell the materials thereof.

(5) Any expenses incurred by the Chairperson under sub-section (4) if not satisfied out of the proceeds of the sale of materials of the building shall be recovered from the owner of the building or any other person having an interest therein as an arrear of tax under this Act.

(6) In determining for the purposes of section 277 and this section whether a building is unfit for human habitation, regard shall be had to its condition in respect of the following matters, that is to say,-

(a) repair;

(b) stability;

(c) freedom from damp;

(d) natural light and air;

(e) water supply;

(f) drainage and sanitary conveniences;

(g) facilities for storage, preparation and cooking of food and for the disposal of rubbish, filth and other polluted matter,

and the building shall be deemed to be unfit as aforesaid if it is so far defective, in one or more of the said matters that it is not reasonably suitable for occupation in that condition.

(7) For the purpose of section 277, section 278 and this section, "work of improvement" in relation to a building includes any one or more of the following works, namely:-

(a) necessary repairs;

(b) structural alterations;

(c) provision of light points and water taps;

(d) construction of drains, open or covered;

(e) provision of latrines and urinals;

(f) provision of additional or improved fixtures and fittings;

(g) opening up or paving of courtyard;

(h) removal of rubbish, filth and other polluted and obnoxious matter;

(i) any other work including the demolition of any building or any part thereof which, in the opinion of the Chairperson, is necessary for executing any of the works specified above.

(8) The provisions of section 276, section 277, section 278 and this section shall not apply in relation to any building in any area which has been declared to be a slum area under the Slum Areas (Improvement and Clearance) Act, 1956 (96 of 1956).

Section 280. Insanitary huts and sheds

[Insanitary huts and sheds.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Regulation of washing by washermen

Section 281. Prohibition against washing by washerman

[Prohibition against washing by washerman.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Prevention of Dangerous Diseases

Section 282. Obligation to give information of dangerous disease

Any person being in charge of, or in attendance, whether as a medical practitioner or otherwise, upon any person whom he knows or has reason to believe to be suffering from a dangerous disease, or being the owner, lessee, or occupier of any building in which he knows that any such person is so suffering shall forthwith give information respecting the existence of such disease to the officer specified by the Chairperson for the said purpose.

Section 283. Removal to hospital of patients, suffering from dangerous disease

(1) When any person suffering from any dangerous disease is found to be-

(a) without proper lodging or accommodation; or

(b) living in a room or house which he neither owns or pays rent for nor occupies as the guest or relative of any person who owns, or pays rent for it; or

(c) living in a sarai, dharamshala, hotel, boarding house, hostel, guest house, lodging house, club; or

(d) lodged in premises occupied by members of two or more families, the Chairperson or any person authorised by him in this behalf, may on the advice of any medical officer of the rank not inferior to that of a general duty medical officer remove the patient to any hospital or place at which persons suffering from such diseases are received for medical treatment and may do anything necessary for such removal.

(2) The Council shall if required by the Central Government erect an infectious disease hospital of such type and dimension as that Government may direct.

Section 284. Disinfection of buildings and articles

[Disinfection of buildings and articles.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 285. Destruction of infectious huts or sheds

[Destruction of infectious huts or sheds.] Omitted by, s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 286. Means of disinfection

(1) The Chairperson shall-

(a) provide proper places with necessary attendants and apparatus for the disinfection of conveyances, clothing, bedding and other articles which have been exposed to infection;

(b) cause conveyances, clothing and other articles brought for disinfection to be disinfected either free of charge or on payment of such charges as he may fix.

(2) The Chairperson may notify places at which articles of clothing, bedding and the conveyances or other articles which have been exposed to infection shall be washed and if he does so, no person shall wash any such thing at any place not so notified without having previously disinfected such thing.

(3) The Chairperson may direct the destruction of any clothing, bedding or other article likely to retain infection and may give such compensation as he thinks fit for any article so destroyed.

Section 287. Special measures in case of out-break of dangerous or epidemic diseases

(1) In the event of New Delhi or any part thereof being visited or threatened by an outbreak of any dangerous disease among the inhabitants thereof or any epidemic disease among any animals therein, the Chairperson, if he thinks that the other provisions of this Act and the provisions of any other law for the time being in force are insufficient for the purpose, may, with the previous sanction of the Council-

(a) take such special measures; and

(b) by public notice, give such directions to be observed by the public or by any class or section of the public,

as he thinks necessary to prevent the outbreak or spread of the disease:

Provided that where in the opinion of the Chairperson immediate measures are necessary, he may take action, without such sanction as aforesaid and if he does so, shall forthwith report such action to the Council.

(2) No person shall commit a breach of any direction given under sub-section (1) and if he does so he shall be deemed to have committed an offence under section 188 of the Indian Penal Code (45 of 1860).

Section 288. Infected clothes not to be sent to washerman or to laundry

[Infected clothes not to be sent to washerman or to laundry.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 289. Contamination and disinfection of public conveyance

[Contamination and disinfection of public conveyance.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 290. Driver of conveyance not bound to carry persons suffering from dangerous disease

Notwithstanding anything contained in any law for the time being in force no owner, driver or person in charge of a public conveyance shall be bound to convey or to allow to be conveyed in such conveyance in or in the vicinity of New Delhi any person suffering from a dangerous disease or the corpse of any person who has died from such disease unless and until such person pays or tenders a sum sufficient to cover any loss and expense which would ordinarily be incurred in disinfecting the conveyance.

Section 291. Disinfection of buildings before letting the same

[Disinfection of buildings before letting the same.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 292. Disposal of infected articles without disinfection

No person shall, without previous disinfection of the same, give, lend, sell, transmit or otherwise dispose of to another person any article or thing which he knows or has reason to believe has been exposed to contamination by any dangerous disease and is likely to be used in or taken into New Delhi or any part thereof.

Section 293. Prohibition of making or selling of food, etc., or washing of clothes by infected persons

[Prohibition of making or selling of food, etc., or washing of clothes by infected persons.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 294. Power to restrict or prohibit sale of food or drink

When New Delhi or any part thereof is visited or threatened by an outbreak of any dangerous disease the Chairperson may, by public notice, restrict in such manner or prohibit for such period as may be specified in the notice, the sale or preparation of any article of food or drink for human consumption specified in the notice or the sale of any flesh of any description of animal so specified.

Section 295. Control over wells and tanks, etc

(1) If the Chairperson is of opinion that the water in any well, tank or other place, is likely, if used for drinking, to endanger, or cause the spread of, any disease, he may-

(a) by public notice, prohibit the removal or use of such water for drinking; or

(b) by notice in writing require the owner or person having control of such well, tank or place to take such steps as may be directed by the notice to prevent the public from having access to or using such water; or

(c) take such other steps as he may consider expedient to prevent the outbreak or spread of any such disease.

(2) In the event of New Delhi or any part thereof being visited or threatened by an outbreak or a dangerous disease the officer authorised by the Chairperson in this behalf may, without notice and at any time, inspect and disinfect any well, tank or other place from which water is, or is likely to be, taken for the purposes of drinking and may further take such steps as he may think fit to ensure the purity of the water or to prevent the use of the same for drinking purposes.

Section 296. Duty of persons suffering from dangerous disease

[Duty of persons suffering from dangerous disease.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 297. Disposal of infectious corpses where any person has died from any dangerous disease

Where any person has died from any dangerous disease the Chairperson may, by notice in writing,-

(a) require any person having charge of the corpse to convey the same to mortuary thereafter to be disposed of in accordance with law, or

(b) prohibit the removal of corpses from the place where death occurred except for the purpose of being burnt, buried or for being conveyed to a mortuary.

Special conditions regarding essential services

Section 298. Conditions of service of sweepers and certain other class of persons employed in municipal service

[Conditions of service of sweepers and certain other class of persons employed in municipal service.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 299. Conditions of service of sweepers employed for doing house scavenging

[Conditions of service of sweepers employed for doing house scavenging.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Burning and burial grounds

Section 300. Power to call for information regarding burning and burial grounds

The Chairperson may, by notice in writing, require the owner or person in charge of any burning or burial ground to supply such information as may be specified in the notice concerning the condition, management or position of such ground.

Section 301. Permission for use of new burning or burial ground

(1) No place which has not been used as a burning or burial ground before the commencement of this Act shall be so used without the permission in writing of the Chairperson.

(2) Such permission may be granted subject to any conditions which the Chairperson may think fit to impose for the purpose of preventing any annoyance to, or danger to the health of, any person residing in the neighbourhood.

Section 302. Power to require closing of burning and burial grounds

(1) Where the Chairperson, after making or causing to be made local inquiry is of opinion that any burning or burial ground has become offensive to, or dangerous to the health of, persons residing in the neighbourhood, he may, with the previous sanction of the Council, by notice in writing, require the owner or person in charge of such ground to close the same from such date as may be specified in the notice.

(2) No corpse shall be burnt or buried at the burning or burial ground in respect of which a notice has been issued under this section.

Section 303. Removal of corpses

The Chairperson may by public notice prescribe routes by which alone corpses may be removed to burning or burial ground.

Disposal of dead animals

Section 304. Disposal of dead animals

[1][Whenever any animal in the charge of any person dies, the person in charge thereof shall within a period of twenty-four hours convey the carcass to a place provided or appointed under section 263 for the final disposal of the carcasses of dead animals.]

[1] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

CHAPTER XVI VITAL STATISTICS

Section 305. Appointment of Chief Registrar, etc

(1) Notwithstanding anything contained in the Registration of Births and Deaths Act, 1969 (18 of 1969), but subject to the provisions to this Act and to any directions that the Central Government may give in this behalf, the officer specified in the Official Gazette by the Chairperson, shall be the Chief Registrar of Births and Deaths for New Delhi and shall keep in such form as may be prescribed by bye-laws a register of all births and deaths occurring in New Delhi.

(2) The Chairperson shall for the purposes of this Chapter appoint an additional chief registrar and such number of persons to be registrars of births and deaths for New Delhi as he deems necessary and define the respective areas which shall be under the charge of such registrars.

Section 306. Duties of registrar

The registrar shall keep himself informed of every birth or death occurring within the area under his charge and shall ascertain and register as soon as conveniently may be after the event, and without fee or reward such particulars in respect of every birth or death as may be prescribed by bye-laws made in this behalf.

Section 307. Information of births and deaths

[Information of births and deaths.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

CHAPTER XVII PUBLIC SAFETY AND SUPPRESSION OF NUISANCES

Nuisances

Section 308. Prohibition of nuisances

(1) No person shall-

(a) in any public street or public place-

(i) ease himself; or

(ii) carry meat exposed to public view; or

(iii) picket animals or collect carts; or

(iv) being engaged in the removal of rubbish, filth or other polluted and obnoxious matter wilfully or negligently permit any portion thereof to spill or fall, or neglect to sweep away or otherwise effectually to remove any portion thereof which may spill or fall in such street or place; or

(v) without proper authority affix, upon any building, monument, post, wall, fence, tree or other thing, any bill, notice or other document; or

(vi) without proper authority deface or write upon or otherwise mark any building, monument, post, wall, fence, tree or other thing; or

(vii) without proper authority remove, destroy, deface or otherwise obliterate any notice or other document put up or exhibited under this Act or the rules or bye-laws made thereunder; or

(viii) without proper authority displace, damage, make any alteration in, or otherwise interfere with, the pavement, gutter, storm, water-drain, flags or other materials of any such street, or any lamp bracket, direction-post, hydrant or water-pipe maintained by the Council in any such street or place or extinguish a public light; or

(ix) carry rubbish, filth or other polluted and obnoxious matter at any hour prohibited by the Chairperson by public notice, or in any pattern of cart or receptacle which has not been approved for the purpose by the Chairperson, or fail to close such cart or receptacle when in use; or

(b) carry rubbish, filth or other polluted and obnoxious matter along any route in contravention of any prohibition made in this behalf by the Chairperson by public notice; or

(c) deposit or cause or permit to be deposited, earth or materials of any description or any rubbish or polluted and obnoxious matter in any place not intended for the purpose in any public street or public place or waste or unoccupied land under the control and management of the Council; or

(d) make any grave or burn or bury any corpse at any place not set apart for such purpose; or

(e) at any time or place at which the same has been prohibited by the Chairperson by public or special notice, beat a drum or tom-tom, or blow a horn or trumpet, or beat any utensil, or sound any brass or other instrument, or play any music; or

(f) disturb the public peace or order by singing, screaming or shouting, or by using any apparatus for amplifying or reproducing the human voice, such as a megaphone or a loudspeaker; or

(g) let loose any animal so as to cause, or negligently allow any animal to cause injury, danger, alarm or annoyance to any person; or

(h) save with the written permission of the Chairperson and in such manner as he may authorise, store or use night-soil, cowdung, manure, rubbish or any other substance emitting an offensive smell; or

(i) use or permit to be used as a latrine or urinal any place not intended for that purpose.

(2) Every person shall take all reasonable means to prevent every child under the age of twelve years being in his charge from easing himself in any public street or public place.

(3) The owner or keeper of any animal shall not allow it straying in a public street or public place without a keeper.

(4) Any animal found straying as aforesaid may be removed by an officer or employee of the Council or by any police officer to a pound.

(5) Swine found straying in a public street or public place shall be liable to be destroyed by any officer or other employee of the Council appointed in this behalf.

Section 309. Power of Chairperson to require removal or abatement of nuisance

Where the Chairperson is of opinion that there is a nuisance on any land or building, he may, by notice in writing, require the person by whose act, default or sufferance the nuisance arises or continues or the power, lessee or

occupier of the land or building, or any or more or these persons, to remove or abate the nuisance by taking such measures in such manner and within such period as may be specified in the notice.

Dogs

Section 310. Registration and control of dogs

(1) The Council may, by bye-laws made in this behalf,-

(a) require the registration, by the registration authority appointed by the Chairperson in this behalf of all dogs kept within New Delhi;

(b) require that every registered dog shall wear a collar to which shall be attached a metal token to be issued by the registration authority, and fix and fee payable for the issue thereof;

(c) require that any dog which has not been registered or which is not wearing such token shall, if found in any public place, be detained at a place set apart for the purpose; and

(d) fix the fee which shall be charged for such detention and provide that any such dog shall be liable to be destroyed or otherwise disposed of unless it is claimed and the fee in respect thereof is paid within one week.

(2) The Chairperson may-

(a) cause to be destroyed, or to be confined for such period as he may direct, any dog or other animal which is, or is reasonably suspected to be, suffering from rabies, or which has been bitten by any dog or other animal suffering or suspected to be suffering from rabies;

(b) by public notice direct that, after such date as may be specified in the notice, dogs which are without collars or without marks distinguishing them as private property and are found straying on the streets or beyond the enclosures of the houses of their owners, if any, may be destroyed and cause them to be destroyed accordingly.

(3) No damages shall be payable in respect of any dog or other animal destroyed or otherwise disposed of under this section.

(4) No one, being the owner or person in charge of any dog, shall allow it to be at large in any public street or public place without being muzzled and without being secured by a chain lead in any case in which-

(a) he knows that the dog is likely to annoy or intimidate any person, or

(b) the Chairperson has, by public notice during the prevalence of rabies, directed that dogs shall not be at large without muzzles and chain leads.

(5) No one shall-

(a) allow any ferocious dog which belongs to him or is in his charge to be at large without being muzzled; or

(b) set on or urge any dog or other animal to attack, worry or intimidate any person; or

(c) knowing or having reason to believe that any dog or animal belonging to him or in his charge has been bitten by an animal suffering or reasonably suspected to be suffering from rabies, fail or neglect to give immediate information of the fact to the Chairperson or give information which is false.

Prevention of fire, etc

Section 311. Stacking or collecting inflammable materials

[Stacking or collecting inflammable materials.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 312. Care of naked lights

[Care of naked lights.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 313. Discharging fireworks, fire-arms, etc

[Discharging fireworks, fire-arms, etc.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 314. Power to require buildings, wells, etc., to be rendered safe

Where any building, or wall, or anything affixed thereto, or any well, tank, reservoir, pool, depression, or excavation, or any bank or tree, is in the opinion of the Chairperson, in a ruinous state, for want of sufficient repairs, protection or enclosure, a nuisance or dangerous to persons passing by or dwelling or working in the neighbourhood, the Chairperson may by notice in writing require the owner or part-owner or person claiming to be the owner or part-owner thereof or failing any of them the occupier thereof to remove the same or may require him to repair, protect or enclose the same in such manner as he thinks necessary; and if the danger is, in the opinion of the

Chairperson, imminent, he shall forthwith take such steps as he thinks necessary to avert the same.

Section 315. Enclosure of waste land used for improper purpose

The Chairperson may, by notice in writing, require the owner or part-owner, or person claiming to be the owner or part-owner of any land or building, or the lessee, or the person claiming to be the lessee of any such land which, by reason of disuse or disputed ownership or other cause, has remained unoccupied and has become the resort of idle and disorderly persons or of persons who have no ostensible means of subsistence or cannot give a satisfactory account of themselves or is used for gaming or immoral purposes or otherwise occasions or is likely to occasion a nuisance, to secure and enclose the same within such time as may be specified in the notice.

CHAPTER XVIII MARKETS, TRADES AND OCCUPATIONS

Maintenance and regulations of markets

Section 316. Provision of municipal market

(1) The Chairperson, when authorised by the Council in this behalf, may provide and maintain municipal markets and slaughter houses in such number as he thinks fit together with stalls, shops, sheds, pens, and other buildings and conveniences for the use of persons carrying on trade or business in, or frequenting such markets or slaughter house, and may provide and maintain in any such markets buildings and places, machines, weights, scales and measures for the weighment or measurement of goods sold therein.

(2) Municipal markets and slaughter houses shall be under the control of the Chairperson who may, at any time, by public notice, close any municipal market, slaughter house or any part thereof.

Section 317. Use of municipal markets and slaughter house

(1) No person shall, without the general or special permission in writing of the Chairperson, sell or expose for sale any animal or article in any municipal market.

(2) Any person contravening the provisions of sub-section (1), and any animal or article exposed for sale by such person, may be summarily removed from the market by or under the orders of the Chairperson or any officer or employee of the Council authorised by the Chairperson in this behalf.

Section 318. Private markets

(1) No place other than a municipal market shall be used as a market unless such place has been licensed as a market by the Council.

(2) No place other than a municipal slaughter house shall be used as a slaughter house:

Provided that nothing in this sub-section shall be deemed-

(i) to restrict the slaughter of any animal in any place on the occasion of any religious festival or ceremony, subject to such conditions (non-compliance with which shall be punishable under this Act) as the Chairperson may, by public or special notice, impose in this behalf, or

(ii) to prevent the Chairperson, with the sanction of the Council, from setting apart place for the slaughter of animal in accordance with religious custom.

Section 319. Conditions of grant of licence for private market

(1) The Chairperson may charge such fees as the Council may prescribe in this behalf for the grant of a licence to any person to open a private market and may grant such licence subject to such conditions, consistent with this Act and any bye-laws made thereunder.

(2) When the Council refuses to grant any licence, it shall record a brief statement of the reasons for such refusal.

(3) The Chairperson may, for reasons to be recorded, suspend a licence in respect of a private market for such period as he thinks fit, or cancel his licence.

(4) A private market of which the licence has been suspended or cancelled as aforesaid shall be closed with effect from such date as may be specified in the order of suspension or cancellation.

Section 320. Prohibition of keeping market open without licence, etc

[Prohibition of keeping market open without licence, etc.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 321. Prohibition of use of unlicensed markets

[Prohibition of use of unlicensed markets.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 322. Prohibition of business and trade near a market

[Prohibition of business and trade near a market.] Omitted by s. 2 and Sch. ibid. (w.e.f. 15-05-2026).

Section 323. Levy of stallages, rents and fees

(1) The Chairperson, with the previous approval of the Council may-

(a) charge such stallages, rents and fees as may from time to time be fixed by him in this behalf-

(i) for the occupation or use of any stall, shop, stand, shed or pen in a municipal market or municipal slaughter house;

(ii) for the right to expose articles for sale in a municipal market;

(iii) for the use of machines, weights, scales and measures provided for in any municipal market; and

(iv) for the right to slaughter animals in any municipal slaughter house, and for the feed of such animals before they are ready for slaughter; or

(b) farm the stallages, rents and fees chargeable as aforesaid or any portion thereof for such period as he thinks fit; or

(c) put up to public auction or dispose by the private sale the privilege of occupying or using any stall, shop, shed or pen in a municipal market or municipal slaughter house for such period and on such conditions as he may think fit.

(2) A copy of the table of stallages and fees, if any, chargeable in any municipal market in New Delhi and of the bye-laws made under this Act for the purpose of regulating the use of such market printed in such language or languages as the Chairperson may direct, shall be affixed in some conspicuous place in the market.

Section 324. Power to expel disturbers, etc., from markets

[Power to expel disturbers, etc., from markets.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 325. Butcher's fish-monger's and poulter's licence

(1) No person shall without or otherwise than in conformity with a licence from the Chairperson carry on the trade of a butcher, fish-monger, poulterer or importer of flesh intended for human consumption or use any place for the sale of flesh, fish or poultry intended for human consumption:

Provided that no licence shall be required for any place used for the sale or storage for sale of preserved flesh or fish contained in air-tight or hermetically sealed receptacles.

(2) The Chairperson may order and subject to such conditions as to supervision and inspection as he thinks fit to impose grant a licence or may by order refuse for reasons to be recorded, to grant the same.

(3) Every such licence shall expire at the end of the year for which it is granted or at such earlier date as the Chairperson may, for special reasons, specify in the licence.

(4) If any place is used for the sale of flesh, fish or poultry in contravention of the provisions of this section, the Chairperson may stop the use thereof by such means as he may consider necessary.

(5) (i) If the Chairperson or any person authorised by him in this behalf has reason to believe that any animal intended for human consumption is being slaughtered or that the flesh of any such animals is being sold or exposed for sale, in any place or manner not duly authorised under this Act, he may at any time by day or night without notice inspect such place for the purpose of satisfying himself as to whether any provision of this Act or of any bye-law under this Act at the time in force is being contravened thereat and may seize any such animal or the carcass of such animal or such flesh found therein.

(ii) The Chairperson may remove and sell by auction or otherwise dispose of any animal or carcass of any animal or any flesh seized under clause (i) of this sub-section.

(iii) If within one month of such seizure the owner of the animal, carcass or flesh fails to appear and prove his claim to the satisfaction of the Chairperson or if the owner is convicted of an offence under this Act in respect of such animal, carcass or flesh, the proceeds of any sale under clause (i) of this sub-section shall vest in the Council.

(iv) Any person slaughtering any animal or selling or exposing for sale the flesh of any such animal in any place or manner not duly authorised under the provisions of this Act may be arrested by any police officer without a warrant.

(v) No claim shall lie against any person for compensation for any damage necessarily caused by any such entry or

by the use of any force necessary for affecting such entry.

Trades and occupations

Section 326. Factory, etc., not to be established without permission of the Chairperson

(1) No person shall, without the previous permission in writing of the Chairperson, establish in any premises, or materially alter, enlarge or extend, any factory, workshop or trade premises in which it is intended to employ steam, electricity, water or other mechanical power.

(2) The Chairperson may refuse to give such permission, if he is of the opinion that the establishment, alteration, enlargement or extension of such factory, workshop or trade premises, in the proposed position would be objectionable by reason of the density of the population in the neighbourhood thereof, or would be a nuisance to the inhabitants of the neighbourhood.

Section 327. Premises not to be used for certain purposes without licence

(1) No person shall use or permit to be used any premises for any of the following purposes without or otherwise than in conformity with the terms of a licence granted by the Chairperson in this behalf, namely:-

(a) any of the purposes specified in Part I of the Ninth Schedule;

(b) any purpose which is, in the opinion of the Chairperson dangerous to life, health or property or likely to create a nuisance;

(c) keeping horses, cattle or other quadruped animals or birds for transportation, sale or hire or for sale of the produce thereof; or

(d) storing any of the articles specified in Part II of the Ninth Schedule except for domestic use of any of those articles:

Provided that the Council may declare that premises in which the aggregate quantity of articles stored for sale does not exceed such quantity as may be prescribed by bye-laws in respect of any such articles shall be exempted from the operation of clause (d).

(2) In prescribing the terms of a licence granted under this section for the use of premises as mills or iron yards or for similar purposes the Chairperson may, when he thinks fit, require the licensee to provide a space or passage within the premises for carts for loading and unloading purposes.

(3) The Council shall fix a scale of fees to be paid in respect of premises licensed under sub-section (1):

Provided that no such fee shall exceed five hundred rupees.

Section 328. Seizure of certain animals

(1) If any horses, cattle or other quardruped animals or birds are kept on any premises in contravention of the provisions of section 327, or are found abandoned and roaming or tethered on any street or public place or on any land belonging to the Council, the Chairperson or any officer empowered by him may seize them and may cause them to be impounded or removed to such place as may be appointed by the Government or the Council for this purpose and the cost of seizure of these animals or birds and of impounding or removing them and of feeding and watering them shall be recoverable by sale by auction of these animals or birds:

Provided that anyone claiming such animal or bird may, within seven days of the seizure get them released on his paying all expenses incurred by the Chairperson in seizing, impounding or removing and in feeding and watering such animal or bird, and on his producing a licence for keeping these animals and birds issued under the provisions of section 327.

(2) Whenever the Chairperson is of opinion that the user or any premises for any of the purposes referred to in sub-section (1) of section 327 is causing a nuisance and such nuisance should be immediately stopped, the Chairperson may order the owner or the occupier of the premises to stop such nuisance within such time as may be specified in the order and in the event of the failure of the owner or occupier to comply with such order, the Chairperson may himself or by an officer subordinate to him cause such user to be stopped.

(3) Without prejudice to the foregoing provisions of this section any person by whom or at whose instance any horses, cattle or other quadruped animals or birds are so kept, abandoned or tethered, shall also be punishable under this Act.

Section 329. Power of Chairperson to prevent use of premises in particular areas for purposes referred to in section 327

(1) The Chairperson may give public notice of his intention to declare that in any area specified in the notice no person shall use any premises for any of the purposes referred to in sub-section (1) of section 327, which may be specified in such notice.

(2) No objections to any such declaration shall be received after a period of one month from the publication of the notice.

(3) The Chairperson shall consider all objections received within the said period, giving any person affected by the notice an opportunity of being heard during such consideration, and may thereupon make a declaration in accordance with the notice published under sub-section (1), with such modifications, if any, as he may think but not so as to extend its application.

(4) Every such declaration shall be published in the Official Gazette and in such other manner as the Chairperson may determine, and shall take effect from the date of its publication in the Official Gazette.

(5) No person shall, in any area specified in any declaration published under sub-section (4) use any premises for any of the purposes referred to in section 327 specified in the declaration and the Chairperson shall have the power to stop the use of any such premises by such means as he considers necessary.

Section 330. Licences for hawking articles, etc

No person shall, without or otherwise than in conformity with the terms of a licence granted by the Chairperson in this behalf,-

(a) hawk or expose for sale in any place any article whatsoever whether it be for human consumption or not;

(b) use in any place his skill in any handicraft or for rendering services to and for the convenience of the public for the purposes of gain or making a living.

Section 331. Eating houses, etc., not to be used without licence from the Chairperson

(1) No person shall, without or otherwise than in conformity with the terms of a licence granted by the Chairperson in this behalf, keep any eating house, lodging house, hotel, boarding house, tea shop, coffee house, cafe, restaurant, refreshment room or any place where the public are admitted for repose or for the consumption of any food or drink or any place, where food is sold or prepared for sale.

(2) The Chairperson may at any time cancel or suspend any licence granted under sub-section (1) if he is of the opinion that the premises covered thereby are not kept in conformity with the conditions of such licence or with the provisions of any bye-law made in this behalf, whether the licensee is prosecuted under this Act or not.

Section 332. Licensing and control of theatres, circuses and places of public amusement

No person shall, without or otherwise than in conformity with the terms of a licence granted by the Chairperson in this behalf, keep open any theatre, circus, cinema house, dancing hall or other similar place of public resort, recreation or amusement:

Provided that nothing in this section shall apply to private performances in any such place.

Section 333. Power of Chairperson to stop use of premises used in contravention of licences

If the Chairperson is of opinion that any eating house, lodging house, hotel, boarding house, tea shop, coffee house, cafe, restaurant, refreshment room or other place where the public are admitted for repose or for consumption of any food or drink or where food is sold or prepared for sale or any theatre, circus, cinema house, dancing hall or similar other place of public resort, recreation or amusement is kept open without a licence or otherwise than in conformity with the terms of a licence granted in respect thereof, he may stop the use of any such premises for any such purpose for a specified period by such means as he may consider necessary.

CHAPTER XIX IMPROVEMENT

Section 334. Improvement scheme

Where the Chairperson upon information in his possession is satisfied as respects any area-

(a) that the buildings in that area are by reason of disrepair or sanitary defects unfit for human habitation or are by reason of their bad arrangement, or the narrowness or bad arrangement of the streets or the want of light, air, ventilation or proper conveniences, dangerous or injurious to the health of the inhabitants of the area; and

(b) that the most satisfactory method of dealing with the conditions in the area is the re-arrangement and reconstruction of the streets and buildings in the area in accordance with an improvement scheme,

he may frame an improvement scheme in respect of the area in accordance with the bye-laws made in this behalf.

Section 335. Matters to be provided for in an improvement scheme

(1) An improvement scheme may provide for all or any of the following matters, namely:-

(a) the acquisition by agreement or under the Land Acquisition Act, 1894 (1 of 1894), of any property necessary for or affected by the execution of the scheme;

(b) the relaying out of any land comprised in the scheme;

(c) the redistribution of sites belonging to owners of property comprised in the scheme;

(d) the closure or demolition of buildings or portions of buildings unfit for human habitation;

(e) the demolition of obstructive buildings or portions thereof;

(f) the construction and reconstruction of buildings;

(g) the construction and alteration of streets;

(h) the water supply, street lighting, electric supply, drainage and other conveniences;

(i) the provision of open spaces for the benefit of any area comprised in the scheme;

(j) the sanitary arrangements required for the area comprised in the scheme;

(k) the provision of accommodation for any class of the inhabitants;

(l) the provision of facilities for communication;

(m) the sale, letting or exchange of any property comprised in the scheme;

(n) any other matter for which, in the opinion of the Chairperson it is expedient to make provision with a view to the improvement of the area to which the scheme relates.

(2) Where any land is designated in an improvement scheme as subject to acquisition or is required by the scheme to be kept as an open space, then, if at the expiration of ten years from the date of sanction of the scheme by the Central Government under sub-section (2) of section 336 the land is not acquired by the Chairperson, the owner of the land may serve on the Chairperson a notice requiring his interest in the land to be so acquired.

(3) If the Chairperson fails to acquire the land within a period of six months from the receipt of the notice, the improvement scheme shall have effect after the expiration of the said six months as if the land were not designated as subject to acquisition by the Chairperson or were not required to be kept as an open space.

Section 336. Submission of improvement scheme to the Council for approval and to the Central Government for sanction

(1) Every improvement scheme shall, as soon as may be after it has been framed, be submitted by the Chairperson for approval to the Council and the Council may either approve the scheme without modifications or with such modifications as it may consider necessary or reject the scheme with directions to the Chairperson to have a fresh scheme framed according to such directions.

(2) No improvement scheme approved by the Council under sub-section (1) shall be valid unless it has been sanctioned by the Central Government.

Section 337. Rehousing scheme

The Chairperson while framing an improvement scheme under this Chapter for any area may also frame a scheme (hereafter in this Act referred to as the rehousing scheme) for the construction, maintenance and management of such area and so many buildings as he may consider necessary for providing accommodation for persons who are likely to be displaced by the execution of the improvement scheme.

Section 338. Improvement scheme and rehousing scheme to comply with the master plan and zonal development plan

No improvement scheme or rehousing scheme framed under this Chapter shall be valid unless such scheme is in conformity with the provisions of the master plan for Delhi or a zonal development plan for New Delhi or any part thereof.

CHAPTER XX POWERS, PROCEDURE, OFFENCES AND PENALTIES

Licences and written permissions

Section 339. Signature, conditions, duration, suspension, revocation, etc., of licences and written permissions

(1) Whenever it is provided in this Act or any bye-law made thereunder that a licence or a written permission may be granted for any purpose, such licence or written permission shall be signed by the Chairperson or by the officer empowered to grant the same under this Act or the bye-laws made thereunder or by any officer authorised by the Chairperson or such officer in this behalf and shall specify in addition to any other matter required to be specified under any other provision of this Act or any provision of any bye-law made thereunder-

(a) the date of the grant thereof;

(b) the purpose and the period (if any) for which it is granted;

(c) restrictions or conditions, if any, subject to which it is granted;

(d) the name and address of the person to whom it is granted; and

(e) the fee, if any, paid for the licence or written permission.

(2) Except as otherwise provided in this Act or any bye-law made thereunder, for every such licence or written permission a fee may be charged at such rate as may from time to time be fixed by the Chairperson with the sanction of the Council and such fee shall be payable by the person to whom the licence or written permission is granted.

(3) Save as otherwise provided in this Act or any bye-law made thereunder any licence or written permission granted under this Act any bye-law made thereunder may at any time be suspended or revoked by the Chairperson or by the officer by whom it was granted, if he is satisfied that it has been secured by the grantee through misrepresentation or fraud or if any of its restrictions or conditions have been infringed or evaded by the grantee, or if the grantee has been convicted for the contravention of any of the provisions of this Act or any bye-law made thereunder relating to any matter for which the licence or permission has been granted:

Provided that-

(a) before making any order of suspension or revocation reasonable opportunity shall be accorded to the grantee of the licence or the written permission to show cause why it should not be suspended or revoked;

(b) every such order shall contain a brief statement of the reasons for the suspension or revocation of the licence or the written permission.

(4) When any such licence or written permission is suspended or revoked, or when the period for which the same was granted has expired, the grantee shall, for all purposes of this Act or any bye-law made thereunder, be deemed to be without a licence or written permission until such time as the order suspending or revoking the licence or written permission is rescinded or until the licence or written permission is renewed.

(5) Every grantee of any licence or written permission granted under this Act shall at all reasonable times, while such licence or written permission remains in force, if so required by the Chairperson or the authority by whom it was granted, produce such licence or written permission.

Entry and inspection

Section 340. Powers of entry and inspection

The Chairperson or any officer or other employee authorised in this behalf by him or empowered in this behalf by or under any provision of this Act, rules, regulations or bye-laws made thereunder, may enter into or upon any land or building with or without assistants and workmen-

(a) for the purpose of ascertaining whether there is or has been on or in connection with the land or building any contravention of the provisions of this Act, rules, regulations or any bye-law made there-under;

(b) for the purpose of ascertaining whether or not circumstances exist which would authorise or require the Chairperson or any municipal officer or employee authorised or empowered in this behalf to take any action or execute any work under this Act, rules, regulations or any bye-law made thereunder;

(c) for the purpose of taking any action or executing any work authorised or required by this Act, rules, regulations or bye-laws made thereunder;

(d) to make any inquiry, inspection, examination, measurement, valuation or survey authorised or required by or under this Act, rules, regulations or bye-laws made thereunder or necessary for the proper administration of this Act;

(e) generally for the purpose of efficient discharge of the functions by the Council under this Act, rules, regulations or any bye-law made thereunder.

Section 341. Power to enter land adjoining land in relation to any work

(1) The Chairperson or any person authorised in this behalf by him or empowered in this behalf by or under any provision of this Act, rules, regulations or bye-laws made thereunder, may enter on any land within fifty metres of any work authorised by or under this Act, rules, regulations or bye-laws made thereunder with or without assistants and workmen for the purpose of depositing thereon any soil, gravel, stone or other materials or for obtaining access to such work or for any other purposes connected with the execution of the same.

(2) The person so authorised shall, before entering on any such land, state the purpose thereof, and shall, if so required by the owner or occupier thereof, fence off so much of the land as may be required for such purpose.

(3) The person so authorised shall, in exercising any power conferred by this section, do as little damage as may be and compensation shall be payable by the Council in accordance with bye-laws made in this behalf to the owner or occupier of such land or to both for any such damage, whether permanent or temporary.

Section 342. Breaking into building

(1) It shall be lawful for the Chairperson or any person authorised in this behalf by him or empowered in this behalf by or, under any provision of this Act, rules, regulations or bye-laws made thereunder to make any entry into any place, and to open or cause to be opened any door, gate or other barrier-

(a) if he considers the opening thereof necessary for the purpose of such entry; and

(b) if the owner or occupier is absent or being present refuses to open such door, gate or barrier.

(2) Before making any entry into any such place, or opening or causing to be opened any such door, gate or other barrier, the Chairperson or the person authorised or empowered in this behalf, shall call upon two or more respectable inhabitants of the locality in which the place to be entered into is situate, to witness the entry or opening and may issue an order in writing to them or any of them so to do.

Section 343. Time of making entry

Save as otherwise provided in this Act, rules, regulations or any bye-law made thereunder, no entry authorised by or under this Act shall be made except between the hours of sunrise and sunset.

Section 344. Consent ordinarily to be obtained

Save as otherwise provided in this Act, rules, regulations or any bye-law made thereunder, no land or building shall be entered without the consent of the occupier, or if there is no occupier, of the owner thereof and no such entry shall be made without giving the said owner or occupier, as the case may be, not less than twenty-four hours' written notice of the intention to make such entry:

Provided that no such notice shall be necessary if the place to be inspected is a factory or workshop or trade premises or a place used for any of the purposes specified in section 327 or a stable for horses or a shed for cattle or a latrine or urinal or a work under construction, or for the purpose of ascertaining whether any animal intended for human consumption is slaughtered in that place in contravention of this Act or any bye-law made thereunder.

Section 345. Regard to be had to social or religious usages

When any place used as a human dwelling is entered under this Act, due regard shall be paid to the social and religious customs and usages of the occupants of the place entered, and no apartment in the actual occupancy of a female shall be entered or broken open until she has been informed that she is at liberty to withdraw and every reasonable facility has been afforded to her withdrawing.

Section 346. Prohibition of obstruction [1]*** in execution of work

No person shall obstruct [2]*** any person authorised or empowered by or under this Act or any person with whom the Council has lawfully contracted, in the execution of his duty or of anything which he is authorised or empowered or required to do by virtue or in consequence of any of the provisions of this Act, rules, regulations or any bye-law made thereunder, or in fulfilment of his contract, as the case may be.

[1] The words "or molestation" omitted by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

[2] The words "or molest" omitted by s. 2 and Sch., ibid. (w.e.f. 15-05-2026).

Public notices and advertisements

Section 347. Public notices how to be made known

Every public notice given under this Act, rules, regulations or any bye-law made thereunder shall be in writing under the signature of the Chairperson or of any officer authorised in this behalf by him 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 newspapers or by any two or more of these means and by any other means that the Chairperson may think fit.

Section 348. Newspapers in which advertisements or notices to be published

Whenever it is provided by this Act or any bye-law made thereunder that notice shall be given by advertisement in local newspapers, or that a notification or information shall be published in local newspapers, such notice, notification or information shall be inserted, if practicable, in at least three newspapers in such languages as the Council may from time to time specify in this behalf:

Provided that if the Council publishes a municipal journal, a publication in that journal shall be deemed to be a publication in a newspaper of the language in which the said journal may be published.

Evidence

Section 349. Proof of consent, etc., of Chairperson

Whenever, under this Act or any rule, regulation or bye-law made thereunder, the doing of, or the omission to do, anything or the validity of anything depends upon the approval, sanction, consent, concurrence, declaration, opinion or satisfaction of the Chairperson or of any municipal officer, a written document signed by the Chairperson or officer purporting to convey or set forth such approval, sanction, consent, concurrence, declaration, opinion or satisfaction shall be sufficient evidence thereof.

Notices, etc

Section 350. Notices, etc., to fix reasonable time

Where any notice, bill, order or requisition issued or made under this Act or any rule, regulation or bye-law made thereunder requires anything to be done for the doing of which no time is fixed in this Act or the rule, regulation or bye-law, the notice bill, order or requisition shall specify a reasonable time for doing the same.

Section 351. Signature on notices, etc., may be stamped

(1) Every licence, written permission, notice, bill, summons or other document which is required by this Act or any rule, regulation or bye-law made thereunder to bear the signature of the Chairperson or of any officer, shall be deemed to be properly signed if it bears a facsimile of the signature of the Chairperson or Officer, as the case may be, stamped thereupon.

(2) Nothing in sub-section (1) shall be deemed to apply to a cheque drawn upon the New Delhi Municipal Fund under section 46.

Section 352. Notices, etc., by whom to be served or issued

All notices, bills, summons and other documents required by this Act or any rule, regulation or bye-law made thereunder to be served upon, or issued to, any person, shall be served or issued by Municipal officers or other Municipal employees or by other persons authorised by the Chairperson.

Section 353. Services of notices, etc

(1) Every notice, bill, summons order, requisition or other document required or authorised by this Act or any rule, regulation or bye-law made thereunder to be served or issued by or on behalf of the Council, or by the Chairperson or any officer, of any person shall, save as otherwise provided in this Act or such rule, regulation or bye-law, 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 the 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 firm, if the document is addressed to the partnership firm 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, society or other body, if the document is addressed to the secretary, treasurer or other head officer of that body, corporation or society as 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 National Capital 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, if any, to which it relates, or

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

[1][(1A) The service of notices, summons and other documents referred to in sub-section (1) may be made by delivering or transmitting a copy thereof by speed post with registration and proof of delivery, addressed to the defendant or his agent empowered to accept the service or by speed post or by such courier services as are approved by the High Court or by any other means of transmission of documents (including fax message or electronic mail service) as may be provided by rules made by the High Court.]

(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

(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 firm 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 premises the Chairperson may by notice in writing require the occupier of the premises 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) Nothing in sections 351 and 352 and in this section shall apply to any summons issued under this Act by a court.

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

[1] Ins. by Act 8 of 2026, s. 2 and Sch. (w.e.f. 15-05-2026).

Section 354. Service of bills for tax or notice of demand by ordinary post

Notwithstanding anything contained in sections 352 and 353 a bill for any tax or a notice of demand may be served by sending it by ordinary post with a prepaid letter under a certificate of posting addressed to the appropriate person specified in section 353 at his last known place of residence or business and in proving the service of every bill or notice so sent it shall be sufficient to prove that the letter was properly addressed and posted under a certificate of posting.

Section 355. Powers in case of non-compliance with notice, etc

In the event of non-compliance with the terms of any notice, order or requisition issued to any person under this Act or any rule, regulation or bye-law made thereunder; requiring such person to execute any work or to do any act it shall be lawful for the authority or officer at whose instance the notice, order or requisition has been issued, whether or not the person in default is liable to punishment for such default or has been prosecuted or sentenced to any punishment therefor, after giving notice in writing to such person, to take such action or such steps as may be necessary for the completion of the act or the work required to be done or executed by such person and all the expenses incurred on such account shall be payable to the Chairperson on demand and if not paid within ten days after such demand, shall be recoverable as an arrear of tax under this Act.

Recovery of expenses

Section 356. Liability of occupier to pay in default of owner

(1) If any notice, order or requisition has been issued to any person in respect of property of which he is the owner, the authority or the officer at whose instance such notice, order or requisition has been issued, may require the occupier of such property or of any part thereof to pay to him, instead of to the owner, any rent payable by him in respect of such property, as it falls due upto the amount recoverable from the owner under section 355:

Provided that if the occupier refuses to disclose the correct amount of the rent payable by him or the name or address of the person to whom it is payable, the officer may recover from the occupier the whole amount recoverable under section 355 as an arrear of tax under this Act.

(2) Any amount recovered from an occupier instead of from an owner under sub-section (1), shall, in the absence of any contract between the owner and the occupier to the contrary, be deemed to have been paid to the owner.

Section 357. Execution of work by occupier in default of owner and deduction of expenses from rent

Whenever the owner of any land or building fails to execute any work which he is required to execute under this Act, or any bye-law made thereunder, the occupier, if any, of such land or building may, with the approval of the Chairperson, execute the said work and he shall, subject to any contract, between the owner and occupier to the contrary, be entitled to recover from the owner the reasonable expenses incurred by him in the execution of the work and may deduct the amount thereof from the rent payable by him to the owner.

Section 358. Relief to agents and trustees

(1) Where any person, by reason of his receiving rent of immovable property as a receiver, agent or trustee, or of his being as a receiver, agent or trustee the person who would receive the rent if the property were let to a tenant, would under this Act, or any bye-law made thereunder, be bound to discharge any obligation imposed on the owner of the property for the discharge of which money is required, he shall not be bound to discharge the obligation unless he has, or but for his own improper act or default might have had funds in his hands belonging to the owner sufficient for the purpose.

(2) The burden of proving any fact entitling a receiver, agent or trustee to relief under sub-section (1) shall lie upon him.

(3) Where any receiver, agent or trustee has claimed and established his right to relief under this section, the Chairperson may, by notice in writing require him, to apply to the discharge of his obligation as aforesaid the first moneys which may come to his hands on behalf, or for the use, of the owner and on failure to comply with the notice, he shall be deemed to be personally liable to discharge the obligation.

Payment of compensation

Section 359. General power to compensation

In any case not otherwise provided for in this Act or in any bye-law made thereunder, the Chairperson with the previous approval of the Council, may pay compensation to any person who sustains damage by reason of the exercise of any of the powers vested by this Act or any bye-law in the Chairperson or in any municipal officer or other municipal employee.

Section 360. Compensation to be paid by offenders for damage caused by them

(1) Any person who has been convicted of an offence against this Act or any bye-law made thereunder shall, notwithstanding any punishment to which he may have been sentenced for the said offence, be liable to pay such compensation for any damage to the property of the Council resulting from the said offence as the Chairperson may consider reasonable.

(2) In the event of a dispute regarding the amount of compensation payable under sub-section (1) such amount shall, on application made to him, be determined by the magistrate before whom the said person was convicted of the said offence; and on non-payment of the amount of compensation so determined the same shall be recovered under a warrant issued by the said magistrate as if it were a fine imposed by him on the person liable therefor.

Recovery of expenses or compensation in case of dispute

Section 361. Reference to the court of the district judge in certain cases

(1) If, when the Chairperson demands payment of any expenses referred to in section 355, his right to demand the same or the amount of the demand is disputed within ten days after such demand, the Chairperson shall refer the case for determination-

(a) to the Appellate Tribunal, if such demand relates to the expenses incurred in taking necessary action or steps for the completion of any act or work required to be done or executed in the event of non-compliance with any notice, order or requisition under sections 221, 229, 247, 248 and 249;

(b) to the court of the district judge of Delhi, in any other case.

(2) The Chairperson shall, pending the decision on any such reference, defer further proceedings for the recovery of the sum claimed by him, and shall, after the decision, proceed to recover only such amount, if any, as is thereby declared to be due in the manner referred to in section 355.

Section 362. Application to the court of the district judge in other cases

(1) Where, in any case not provided for by section 361, the Council or the Chairperson or any officer or other employee is required by this Act or by any bye-law made thereunder to pay any expenses or any compensation, the amount to be so paid and if necessary, the apportionment of the same, shall in case of dispute, be determined by the court of the district judge of Delhi on an application having been made to it for this purpose at any time within one year from the date when such expenses or compensation first became claimable.

(2) If the amount of any expenses or compensation ascertained in accordance with sub-section (1) is not paid by the person liable therefor on demand, it shall be recoverable as if the same were due under a decree passed by the court of the district judge in an original suit tried by it.

(3) Instead of proceeding in the manner aforesaid for the recovery of any expenses or compensation of which the amount due has been ascertained as hereinbefore provided, or after such proceedings have been taken unsuccessfully or with only partial success, the sum due or the balance of the sum due, as the case may be, may be recovered by a suit brought against the person liable for same in any court of competent jurisdiction.

Recovery of certain dues

Section 363. Mode of recovery of certain dues

In any case not expressly provided for in this Act or any bye-law made thereunder any sum due to the Council on account of any charge, costs, expenses, fees, [1][rates, rents or penalty imposed under this Act] or on any other account under this Act or any such bye-law may be recoverable from any person from whom such sum is due as an arrear of tax under this Act:

Provided that no proceedings for the recovery of any sum under this section shall be commenced after the expiry of three years from the date on which such sum becomes due.

[1] Subs. by Act 8 of 2026, s. 2 and Sch., for "rates or rent" (w.e.f. 15-05-2026).

Obstruction of owner by occupier

Section 364. Right of owner to apply to the court of the district judge in case of obstruction by occupier

(1) The owner of any land or building may, if he is prevented by the occupier thereof from complying with-

(a) the provisions of section 221, section 229, section 247, section 248, section 249, or section 252, or any bye-law made thereunder or with any notice or order issued under any such provision apply to the Appellate Tribunal; and

(b) any other provision or any bye-law made thereunder or with any notice, order or requisition issued under such provision, apply to the court of the district judge of Delhi and where such application is made within any time that may be fixed for the compliance with such provision or notice, order or requisition the owner shall not be liable for his failure to comply with the provision, or notice, order or requisition within the time so fixed.

(2) The Appellate Tribunal or the court, as the case may be, on receipt of such application, may make a written order requiring the occupier of the land or building to afford all reasonable facilities to the owner for complying with the said provision or notice, order or requisition and may also, if it thinks fit direct that the costs of such application and order be paid by the occupier.

(3) After eight days from the date of the order referred to in sub-section (2), the occupier shall afford all such reasonable facilities to the owner for the purpose aforesaid as may be specified in the order; and in the event of his

continued refusal to do so, the owner shall be discharged during the continuance of such refusal, from any liability which may have been otherwise incurred by reason of his failure to comply with the said provision or notice, order or requisition.

Proceedings before the court of the district judge

Section 365. General powers and procedure of the court of the district judge

The procedure provided in the Code of Civil Procedure, 1908 (5 of 1908), in regard to suits shall be followed, as far as it can be made applicable, in the disposal of applications, appeals or references that may be made to the court of the district judge of Delhi under this Act or any bye-law made thereunder.

Section 366. Fees in proceedings before the court of the district judge

(1) The Government may, by notification in the Official Gazette, prescribe what fee shall be paid-

(a) on any application, appeal or reference under this Act or any bye-law made thereunder to the court of the district judge of Delhi; and

(b) for the issue, in connection with any inquiry or proceedings before that court under this Act or such bye-law, of any summons or other process:

Provided that the fee, if any, prescribed under clause (a) shall not, in cases in which the value of the claim or subject matter is capable of being estimated in money, exceed the fees leviable for the time being under the provisions of the Court-fees Act, 1870 (7 of 1870), in cases in which the amount of the claim or subject matter is of a like amount.

(2) The Government may, by like notification, determine the person by whom the fee, if any, prescribed under clause (a) of sub-section (1), shall be payable.

(3) No application, appeal or reference shall be received by the court of the district judge until the fee, if any, prescribed therefor under clause (a) of sub-section (1) has been paid:

Provided that the court may, in any case in which it thinks fit so to do,-

(i) receive an application, appeal or reference made by or on behalf of a poor person, and

(ii) issue process on behalf of any such person,

without payment or on part payment of the fees prescribed under this section.

Section 367. Repayment of half fees on settlement before hearing

Whenever any application, appeal or reference made under this Act or any bye-law made thereunder to the court of the district judge is settled by agreement between the parties before the hearing, half the amount of all fees paid up to that time shall be repaid by the court to the parties by whom the same have respectively been paid.

Section 368. Power of the court of the district judge to delegate certain powers and to make rules

The court of the district judge of Delhi may-

(a) delegate, either generally or specially, to the court of an additional district judge, power to receive applications, appeals and references under this Act or any rule, regulation or bye-law made thereunder, and to hear and determine such applications, appeals and references;

(b) with the approval of the Government, make rules not inconsistent with this Act or any rule, regulation or bye-law made thereunder, providing for any matter connected with the exercise of the jurisdiction conferred upon the court by this Act which is not herein specifically provided for.

Offences and penalties

Section 369. Penalties for certain offences

[1][(1) Whoever-

(a) contravenes any provision of any of the sections, sub-sections, clauses, provisos or other provisions of this Act mentioned in column (1) of the Table in the Tenth Schedule; or

(b) fails to comply with any order or direction lawfully given to him or any requisition lawfully made upon him under any of the said sections, sub-sections, clauses, provisos or other provisions,

shall be liable to penalty as specified in that behalf in column (3) of the said Table.

(2) Any member, referred to in clauses (b) and (d) of sub-section (1) of section 4, who knowingly acquires, directly or indirectly, any share or interest in any contract made with, or any work done for the Council, shall be deemed to have committed the offence made punishable under section 202 of the Bharatiya Nyaya Sanhita, 2023 (45 of 2023).]

[1] Subs. by Act 8 of 2026, s. 2 and Sch., for s. 369 (w.e.f. 15-05-2026).

Section 370. Provision for remedial action or warning notice

[1][Notwithstanding anything contained in this Act or any rules made or bye-laws framed thereunder, a remedial action or warning notice to the offender in the first instance of violation may be issued before imposition of penalty for the offences as mentioned in the Eleventh Schedule:

Provided that in such cases, on commission of the same offence by the same offender, or in case of failure to comply with the directions contained in the remedial action or warning notice within the stipulated time, penalty as prescribed in the Tenth Schedule shall be imposed without further notice:

Provided further that the Central Government may, by notification, amend, modify, add the offences for which a remedial action or warning notice to the offender in the first instance may be issued before imposition of penalty.]

[1] Subs. by s. 2 and Sch., ibid., for s. 370 (w.e.f. 15-05-2026).

Section 371. Offences by companies

(1) Where an offence under this Act has been committed by 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 has been 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.

Section 372. Certain offences to be cognizable

[Certain offences to be cognizable.] Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 15-05-2026).

Section 373. Prosecutions

Save as otherwise provided in this Act, no court shall proceed to the trial of any offence,-

(a) under sub-section (5) of section 217 or section 237 or sub-section (1) of section 238 or sub-section (1) of section 239 or section 247 or section 248 or section 249 or section 252 except on the complaint of or upon information received from, such officer of the Council, not being below the rank of a Secretary as may be appointed by the Chairperson.

(b) under sub-section (1) of section 221 or sub-section (1) of section 224 or sub-section (1) of section 225 or sub-section (1) of section 229 or section 244, if any such offence was committed in relation to any street which is a public street, except on the complaint of, or upon information received from, such officer of the Council, not being below the rank of a Secretary as may be appointed by the Chairperson;

(c) other than those specified in clauses (a) and (b) except on the complaint of, or upon information received from the Chairperson or a person authorised by him by a general or special order in this behalf.

Section 374. Composition of offences

(1) The Chairperson or any person authorised by him by general or special order in this behalf may, either before or after the institution of the proceedings, compound any offence made punishable by or under this Act:

Provided that no offence shall be compoundable which is committed by failure to comply with a notice, order or requisition issued by or on behalf of the Council or of the Chairperson unless and until the same has been complied with so far as the compliance is possible.

(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 to the offence so compounded.

Magistrates and proceedings before magistrates

Section 375. Municipal magistrates

(1) The Government may appoint one or more metropolitan magistrates for the trial of offences against this Act and against any rule, regulation or bye-law made thereunder and may prescribe the time and place at which such magistrate or magistrates shall sit for the despatch of business.

(2) Such magistrates shall be called municipal magistrates and shall besides the trial of offences as aforesaid, exercise all other powers and discharge all other functions of a magistrate as provided in this Act or any rule, regulation of bye-law made thereunder.

(3) Such magistrates and the members of their staff shall be paid such salary, pension, leave and other allowances as may, from to time, be fixed by the Government.

(4) The Council shall, out of the New Delhi Municipal Fund, pay to the Government the amounts of the salary, pension, leave and other allowances as fixed under sub-section (3) together with all other incidental charges in connection with the establishments of the said magistrates.

(5) Each such magistrate shall have jurisdiction over the whole of New Delhi.

(6) For the purpose of the Code of Criminal Procedure, 1973 (2 of 1974), all municipal magistrates appointed under this Act shall be deemed to be magistrates appointed under section 16 of the said Code.

(7) Nothing in this section shall be deemed to preclude any magistrate appointed hereunder from trying any offence under any other law.

Section 376. Cognizance of offences

All offences against this Act or any rule, regulation or bye-law made thereunder, whether committed within or without the limits of New Delhi, shall be cognizable by a municipal magistrate and such magistrate shall not be deemed to be incapable of taking cognizance of any such offence or of any offence under any enactment which is repealed by, or which ceases to have effect under this Act by reason only of his being liable to pay any municipal tax or rate or benefited out of the New Delhi Municipal Fund.

Section 377. Limitation of time for prosecution

No person shall be liable to punishment for any offence against this Act or any rule, regulation or bye-law made thereunder, unless complaint of such offence is made before a municipal magistrate within six months next after-

(a) the date of the commission of the offence; or

(b) the date on which the commission or existence of such offence was first brought to the notice of the complainant.

Section 378. Power of magistrate to hear cases in absence of accused when summoned to appear

If any person summoned to appear before a magistrate to answer a charge of an offence against this Act or any rule, regulation or bye-law made thereunder fails to appear at the time and place mentioned in the summons, or on any date to which the hearing of the case is adjourned, the magistrate may hear and determine the case in his absence, if-

(a) service of the summons is proved to his satisfaction, and

(b) no sufficient cause is shown, for the non-appearance of such person.

Section 379. Complaints concerning nuisances

The Chairperson or any municipal officer or other municipal employee authorised by him in this behalf or any person who resides or owns property in New Delhi, may complain to a municipal magistrate of the existence of any nuisance.

Section 380. Procedure to be followed by magistrate regarding complaints concerning nuisances

(1) Upon the receipt of any complaint under section 379, the magistrate, after making such inquiry as he thinks necessary, may by written order direct the person responsible for the nuisance or the owner of the land or building on which the nuisance has taken place, to take such measures as to such magistrate may seem practicable and reasonable, and within such period as may be specified in the order for abating, preventing, removing or remedying such nuisance and may direct the Chairperson to put into force any of the provisions of this Act or any bye-law made thereunder.

(2) The magistrate may further direct the person found responsible for the nuisance to pay to the complainant such reasonable costs of and relating to the said complaint as he shall determine, inclusive of compensation for the complainant's loss of time in prosecuting such complaint.

(3) Where in the opinion of the magistrate immediate action to prevent the nuisance is necessary he may dispense with the inquiry as required by sub-section (1) and make such order as he considers necessary forthwith.

(4) If the person directed to take action by an order under sub-section (1) or sub-section (2) fails to do so within the period specified in the order, the Chairperson may on the expiry of the said period proceed to take action as directed in the order or may take such other measures to abate, prevent, remove or remedy the nuisance as he considers necessary, and all expenses incurred in that connection shall be recoverable from the person against whom the magistrate has made the order as an arrear of tax under this Act.

Powers and duties of police officers

Section 381. Arrest of offenders

(1) Any police officer, may arrest any person who commits in his view any offence against this Act or against any rule, regulation or bye-law made thereunder if-

(a) the name and address of such person be unknown to him, and

(b) such person on demand declines to give his name and address or gives a name and address which such officer has reason to believe to be false.

(2) No person so arrested shall be detained in custody after his true name and address are ascertained or, without the order of the nearest magistrate for a period longer than twenty-four hours from the time of arrest exclusive of the time necessary for the journey from the place of arrest to the court of such magistrate.

Section 382. Duties of police officer

[1][It shall be the duty of all police officers, to assist the Chairperson, municipal officers and other municipal employees, or any other officer authorised by the Chairperson, in discharge of their duties and functions under this Act or any rule, regulation or bye-law made thereunder and to assist them in the exercise of their lawful authority for prevention of commission of any contravention under this Act or otherwise.]

[1] Subs. by Act 8 of 2026, s. 2 and Sch., for s. 382 (w.e.f. 15-05-2026).

Legal proceedings

Section 383. Power to institute, etc., legal proceedings and obtain legal advice

(1) The Chairperson may-

(a) take, or withdraw from, proceedings against any person who is charged with-

(i) any offence against this Act or any rules, regulation or bye-law made thereunder; or

(ii) any offence which affects or is likely to affect any property or interest of the Council or the due administration of this Act; or

(iii) committing any nuisance whatsoever;

(b) contest or compromise any appeal against rateable value or assessment of any tax or rate;

(c) take, or withdraw from, compromise proceedings under sections 360, 361 and 362 for recovery of expenses or compensation claimed to be due to the Council;

(d) withdraw or compromise any claim for a sum not exceeding one thousand rupees against any person;

(e) defend any suit or other legal proceeding brought against the Council or against the Chairperson or a municipal officer or municipal employee in respect of anything done or omitted to be done by any one of them in his official capacity;

(f) with the approval of the Council admit or compromise any claim, suit or other legal proceeding brought against the Council or against the Chairperson or any officer or other employee in respect of anything done or omitted to be done as aforesaid;

(g) withdraw or compromise any claim against any person in respect of a penalty payable under a contract entered into with such person by the Chairperson on behalf of the Council;

(h) institute and prosecute any suit or other legal proceeding, or with the approval of the Council withdraw from or compromise any suit or any claim for any sum not exceeding five hundred rupees which has been instituted or made in the name of the Council or the Chairperson;

(i) obtain such legal advice and assistance as he from time to time thinks necessary or expedient to obtain or as he may be required by the Council to obtain for any of the purposes mentioned in the foregoing clauses or for securing lawful exercise or discharge of any power or duty vesting in or imposed upon any municipal officer or other municipal employee.

Section 384. Protection of action of the Council, etc

No suit or prosecution shall be entertained in any court against the Council or against any municipal officer or other municipal employee or against any person acting under the order or direction of the Chairperson or any municipal officer or other municipal employee, for anything which is in good faith done or intended to be done, under this Act or any rule, regulation or bye-law made thereunder.

Section 385. Notice to be given of suits

(1) No suit shall be instituted against the Council or against the Chairperson or against any municipal officer or other municipal employee or against any person acting under the order or direction of the Chairperson or any municipal officer or other municipal employee, in respect of any act done, or purporting to have been done, in pursuance of this Act or any rule, regulation or bye-law made thereunder until the expiration of two months after notice in writing has been delivered at the municipal office and, in the case of such officer, employee or person, unless notice in writing has also been delivered to him at his office or place of residence, and unless such notice states explicitly the cause of action, the nature of the 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 the 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 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.

CHAPTER XXI RULES, REGULATIONS AND BYE-LAWS

Section 386. Supplemental provisions respecting rules

(1) Any rule which the Central Government is empowered to make under this Act may provide that any contravention thereof shall be punishable with fine which may extend to one hundred rupees.

(2) Every rule made under this Act and bye-laws made by the Central Government under section 260 shall be laid, as soon as may be after it 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 bye-laws or both Houses agree that the rule or bye-laws, should not be made, the rule or bye-laws, 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 bye-laws.

Section 387. Supplemental provisions respecting regulations

(1) Any regulation which may be made by the Council under this Act may be made by the Central Government within one year of the establishment of the Council; and any regulation so made may be altered or rescinded by the Council in the exercise of its powers under this Act.

(2) No regulation made by the Council under this Act shall have effect until it has been approved by the Central Government and published in the Official Gazette.

Section 388. Power to make bye-laws

(1) Subject to the provisions of this Act, the Council may, in addition to any bye-laws which it is empowered to make by any other provision of this Act, make bye-laws to provide for all or any of the following matters, namely:-

A. Bye-laws relating to taxation

(1) the maintenance of tax books and registers by the Chairperson and the particulars which such books and registers should contain;

(2) the inspection of and the obtaining of copies and extracts from such books and registers and fees, if any, to be charged for the same;

(3) the publication of rates of taxes as determined by the Council from time to time;

(4) the requisition by the Chairperson of information and returns from persons liable to pay taxes;

(5) the notice to be given to the Chairperson by any person who becomes the owner or possessor of a vehicle or animal in respect of which any tax is payable under this Act;

(6) the wearing of badge by the driver of any such vehicle and the display of number plate on such vehicle;

(7) the submission of returns by persons liable to pay any tax under this Act;

(8) the collection by the registrar or sub-registrar of Delhi appointed under the Registration Act, 1908 (16 of 1908) of the additional stamp duty payable to the Council under this Act, the periodical payment of such duty to the Council and the maintenance by such registrar or sub-registrar of separate accounts in relation thereto;

(9) any other matter relating to the levy, assessment, collection, refund or remission of taxes under this Act.

B. Bye-laws relating to water supply, drainage and sewage collection

(1) the power of the Chairperson to close water works for the supply of water, whether for domestic purposes or not, or for gratuitous use and to prohibit the sale and use of water for purpose of business;

(2) the connection of supply pipes for conveying to any premises a supply of water from a municipal water works;

(3) the making and renewing connections with municipal water works;

(4) the power of the Chairperson to take charge of private connections;

(5) the power of the Chairperson to alter the position of connections;

(6) the equitable distribution of water supplied to occupiers;

(7) the size, material, quality, description and position of the pipes and fittings to be used for the purpose of any connection with or any communication from any municipal water works and the stamping of pipes and fittings and fees for such stamping;

(8) the size, material, quality and description of pipes, cisterns and fittings which are found on an examination under the provisions of this Act to be so defective that they cannot be effectively repaired;

(9) the provision and maintenance of meters when water is supplied by measurement;

(10) the prohibition of fraudulent and unauthorised use of water and the prohibition of fraud in connection with meters;

(11) the maintenance of pipes; cisterns and other water works;

(12) the regulation or prohibition of the discharge or deposit of offensive or obstructive matter, polluted water or other polluted and obnoxious matter into sewers;

(13) the regulation in any manner not specifically provided for in this Act of the construction, alteration, maintenance, preservation, cleaning and repairs of drains, ventilation shafts, pipes, latrines, urinals, cesspools and other drainage works;

(14) the cleansing of drains;

(15) the prohibition of erection of buildings over drains without the permission of the Chairperson;

(16) the connection of private drains with municipal drains;

(17) the location and construction of cesspools;

(18) the covering and ventilation of cesspools;

(19) the period or periods of the day during which trade effluent may be discharged from any trade premises into municipal drains;

(20) the exclusion from trade effluent of all condensing water;

(21) the elimination from trade effluent, before it enters a municipal drain, of any constituent which in the opinion of the Council would either alone or in combination with any matter with which it is likely to come into contact while passing through municipal drains injure or obstruct those drains or make specially difficult or expensive the treatment or disposal of the sewage from those drains;

(22) the maximum quantity of trade effluent which may without any consent or permission, be discharged from any trade premises into municipal drains on any one day and the highest rate at which trade effluent may, without such consent or permission, be discharged from any trade premises into municipal drains;

(23) the regulation of the temperature of trade effluent at the time of its discharge into municipal drains and the securing of the neutrality of trade effluent (that is to say, that it is neither acid nor alkaline) at the time of such discharge;

(24) the charges to be paid to the Council by occupiers of trade premises for the reception of trade effluent into

municipal drains and disposal thereof;

(25) the provision and maintenance of such an inspection chamber or mainhole as will enable a person readily to take at any time samples of what is passing into municipal drains from trade premises;

(26) the provision and maintenance of such meters as may be required to measure the volume of any trade effluent being discharged from any trade premises into municipal drains and the testing of such meters.

C. Bye-laws relating to electric supply

(1) all matters relating to the conduct and management in respect of electricity supply;

(2) the provisions for electric sub-stations in New Delhi.

D. Bye-laws relating to streets

(1) the closure of streets when any work is in progress and alternative passage during the progress of such work;

(2) the erections of a temporary nature during festivals;

(3) the setting up of hoards on buildings adjacent to streets during their construction or repair;

(4) the precautions to be taken when permission is granted to any private individual for opening or breaking up any public street and the fees to be paid for the restoration of a street in its original condition;

(5) the permission, regulation or prohibition or use or occupation of any street or place by it, itinerant vendors or hawkers or by any person for the sale of articles or the exercise of any calling or the setting up of any booth or stall and the fees chargeable for such occupation;

(6) any other matter in connection with the construction, repair, maintenance, naming, numbering and lighting of streets for which provision is necessary or should be made.

E. Bye-laws relating to sanitation and public health

(1) the position of latrines and urinals;

(2) the provision of air spaces between latrines and buildings or places used for various purposes;

(3) the white-washing of buildings;

(4) the regulation or prohibition of the stabling or herding of animals or any class of animals so as to prevent danger to public health;

(5) the seizure of ownerless animals straying within the limits of New Delhi and the regulation and control of pounds;

(6) the fixing and regulation of the use of public bathing and washing places;

(7) the prevention of the spread of dangerous disease;

(8) the segregation in or the removal or exclusion from any part of New Delhi or the destruction of animals suffering or reasonably suspected to be suffering from any infectious or contagious disease;

(9) the supervision, regulation, conservation and protection from injury, contamination or trespass, of sources and means of public water supply and of appliances for the distribution of water;

(10) the enforcement of compulsory vaccination and inoculation;

(11) the proper disposal of corpses, the regulation and management of burning and burial places and other places for the disposal of corpses and the fees chargeable for the use of such places where the same are provided or maintained at the expense of the New Delhi Municipal Fund;

(12) the provision of living accommodation for sweepers in buildings newly erected requiring ten or more latrines.

F. Bye-laws relating to vital statistics

(1) the prescribing of qualifications of persons to be appointed as chief registrar, additional chief registrar and registrar under Chapter XVI;

(2) the registration of births and deaths and marriages and taking of a census.

G. Bye-laws relating to public safety and suppression of nuisances

The regulation or prohibition for the purpose of sanitation or the prevention of disease or the promotion of public safety or convenience, of any act which occasions or is likely to occasion a nuisance and for the regulation or prohibition of which no provision is made elsewhere by this Act.

H. Bye-laws relating to markets, slaughter houses, trades and occupations

(1) the days on, and hours during which any market or slaughter house may be kept open for use;

(2) the regulation of the design, ventilation and drainage of markets and slaughter house the materials to be used in the construction thereof;

(3) the keeping of markets and the slaughter house and the lands and buildings appertaining thereto in a clean and sanitary condition, the removal of filth, rubbish and other polluted and obnoxious matter therefrom and the supply therein of pure water and of a sufficient number of latrines and urinals for the use of persons using or frequenting the same;

(4) the provision of passages of sufficient width between the stalls in market buildings and market places for the convenient use of the public and the prevention of encroachment of such passages;

(5) the setting apart of separate areas for different classes of article in market buildings and market places;

(6) the proper custody and care of animals for the keeping of which licences are granted under section 327;

(7) the regulation of the import of animals and flesh within New Delhi;

(8) the rendering necessary of licences for the use of premises within New Delhi as stables or cow-houses or as an accommodation for sheep, goat or buffalo and the fees payable, for such licences and the conditions subject to which such licences may be granted, refused, suspended or revoked;

(9) the regulation of sarais, hotels, hostels, guest houses, dak bungalows, lodging houses, boarding houses, buildings, let-in-tenements, residential clubs, restaurants, eating houses, cafes, refreshment rooms and places of public recreation, entertainment or resort;

(10) the control and supervision of places where dangerous or offensive trades are carried on so as to secure cleanliness therein or to minimise injurious, offensive or dangerous effects arising or likely to arise therefrom;

(11) the regulation of the posting of bills and advertisements and of the position, size, shade or style of the name boards, sign boards, hoarding and sign-posts;

(12) the fixation of a method for the sale of articles whether by measure, weight, piece or any other method;

(13) the procedure regarding the grant of permit to establish a factory, workshop or trade premises;

(14) the regulation of smoke in factories, workshops and trade premises;

(15) the regulation of sanitary conditions in factories, workshops, and trade premises;

(16) the regulation of the use in any factory, workshop or trade premises of whistle, trumpet, siren, or horn worked by steam, compressed air, electricity or other mechanical means;

(17) the prevention of nuisance in any market building, market place, or any factory, workshop or trade premises.

I. Bye-laws relating to improvement

(1) the form and content of an improvement scheme or a rehousing scheme;

(2) the procedure to be followed in connection with the framing, submission, approval and sanction of such schemes;

(3) the local enquiries and other hearings that may be held before a scheme is framed, approved or sanctioned;

(4) the alteration of an improvement scheme or a rehousing scheme after approval and sanction.

J. Bye-laws relating to miscellaneous matters

(1) the circumstances and the manner in which owners of land or building in New Delhi temporarily absent therefrom or not resident therein may be required to appoint as their agents for all or any of the purposes of this Act or of any bye-laws made thereunder, persons residing within or near New Delhi;

(2) the maintenance of schools and the furtherance of education generally;

(3) the regulation and control of municipal dispensaries;

(4) the rendering necessary of licences-

(a) for the proprietors or drivers of hackney-carriages; cycle-rickshaws, thelas and rehries kept or plying for hire or used for hawking articles;

(b) for persons working as job-porters for the conveyance of goods;

(5) the classification of cinema theatres for the purpose of the Third Schedule;

(6) any other matter which is to be or may be prescribed by bye-laws made under this Act or in respect of which this Act makes no provisions or makes insufficient provision and provision is, in the opinion of the Council necessary for the efficient municipal government of New Delhi.

(2) Any bye-law which may be made under sub-section (1) may be made by the Central Government within one year of the establishment of the Council, and any bye-law so made may be altered or rescinded by the Council in exercise of its powers under sub-section (1).

Section 389. Regulations and bye-laws to be laid before Parliament

The Central Government shall cause every regulation made under this Act and every bye-law made under section 388 to be laid, as soon as may be after it 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 regulation or bye-law or both Houses agree that the regulation or bye-law should not be made, the regulation or bye-law 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 regulation or bye-law.

Section 390. Penalty for breaches of bye-laws

[1][(1) Any bye-law made under this Act may provide that a contravention thereof shall be liable to penalty which may extend to five hundred rupees.

(2) Any such bye-law may also provide that a person contravening the same shall be required to remedy so far as lies in his power, the mischief, if any, caused by such contravention.]

[1] Subs. by Act 8 of 2026, s. 2 and Sch., for s. 390 (w.e.f. 15-05-2026).

Section 391. Supplemental provisions respecting bye-laws

(1) Any power to make bye-laws conferred by this Act is conferred subject to the condition of the bye-laws being made after previous publication and in the case of such bye-laws being made by the Council of their not taking effect until they have been approved by the Government and published in the Official Gazette.

(2) The Government in approving a bye-law may make any change therein which appears to it to be necessary.

(3) The Government may, after previous publication of its intention, cancel any bye-law which it has approved, and thereupon the bye-law shall cease to have effect.

Section 392. Bye-laws to be available for inspection and purchase

(1) A copy of all bye-laws made under this Act shall be kept at the municipal office and shall, during office hours, be open free of charge to inspection by any inhabitant of New Delhi.

(2) Copies of all such bye-laws shall be kept at the municipal office and shall be sold to the public at cost price either singly or in collections at the option of the purchaser.

CHAPTER XXII CONTROL

Section 393. Government to require production of documents

The Central Government may at any time require the Chairperson-

(a) to produce any record, correspondence, plan or other document in his possession or under his control;

(b) to furnish any return, plan, estimate, statement, account or statistics relating to the proceedings, duties or works of the Council;

(c) to furnish or obtain and furnish any report.

Section 394. Inspection

The Central Government may depute any person in the service of that Government to inspect or examine any municipal department or office or any service or work undertaken by the Council or any property belonging to the Council and to report thereon and the Council, the Chairperson and all municipal officers and other municipal employees shall be bound to afford the person so deputed access at all reasonable time to the premises and properties of the Council and to all records, accounts and other documents the inspection of which he may consider necessary to enable him to discharge his duties.

Section 395. Directions by Central Government

If, whether on receipt of a report or on receipt of any information or report obtained under section 393 or section 394 or otherwise, the Central Government is of opinion,-

(a) that any duty imposed on the Council by or under this Act has not been performed or has been performed in an imperfect, insufficient or unsuitable manner; or

(b) that adequate financial provision has not been made for the performance of any such duty,

it may direct the Council within such period as it thinks fit, to make arrangements to its satisfaction for the proper

performance of the duty, or as the case may be, to make financial provision, to its satisfaction for the performance of the duty and the Council shall comply with such direction:

Provided that unless in the opinion of the Central Government the immediate execution of such order is necessary, it shall before making any direction under this section give the Council an opportunity of showing cause why such direction should not be made.

Section 396. Power to provide for enforcement of direction under section 395

If, within the period fixed by a direction made under section 395, any action the taking of which has been directed under that section has not been duly taken, the Central Government may make arrangements for the taking of such action and may direct that all expenses connected therewith shall be defrayed out of the New Delhi Municipal Fund.

Section 397. Power of Central Government to give directions in relation to primary schools, etc

(1) The Central Government may give the Council all such directions as it considers necessary in respect of subjects, curricula, text books, standards and methods of teaching in primary schools vested in the Council or maintained wholly or partly by grants paid out of the New Delhi Municipal Fund and in respect of such other matters as that Government considers necessary and the Council shall comply with all such directions.

(2) It shall be lawful for any officer appointed by the Central Government in this behalf to inspect any such school; and all reasonable facilities shall be given to such officer in connection with the inspection.

(3) The Central Government, after considering the report of inspection made by such officer, may give the Council such directions as it considers necessary and the Council shall comply with such directions.

Section 398. Dissolution of the Council

(1) If, in the opinion of the Central Government, the Council is not competent to perform, or persistently makes default-

(a) in the performance of, the duties imposed on it by or under this Act or any other law, or exceeds or abuses its power; or

(b) fails to deliver efficient service to the public and generally in regard to the municipal administration; or

(c) to comply with the directions given to the Council by the Central Government in regard to matters relating to clauses (a) and (b),

the Central Government may by an order published, together with a statement of the reasons therefor, in the Official Gazette, dissolve the Council:

Provided that the Council shall be given reasonable opportunity of being heard before its dissolution.

(2) When the Council is dissolved by an order under sub-section (1)-

(a) all members shall, on the date of dissolution, vacate their offices as such members;

(b) during the period of dissolution of the Council, all powers and duties conferred and imposed upon the Council by or under this Act or any other law, shall be exercised and performed by such officer or authority as the Central Government may appoint in that behalf; and

(c) all property vested in the Council shall, until it is reconstituted, vest in the Central Government.

(3) An order of dissolution made under this section together with a statement of the reasons therefor shall be laid before each House of Parliament and the Legislative Assembly of the National Capital Territory of Delhi as soon as may be, after it has been made.

CHAPTER XXIII MISCELLANEOUS

Section 399. Delegation of power by the Central Government

The Central Government may, by notification in the Official Gazette, direct that any power exercisable by it under this Act shall, subject to such conditions, if any, as may be specified in the notification be exercisable by the Government or any of its officers or by the Chairperson or any other authority.

Section 400. Power to delegate functions of Chairperson

The Chairperson may by order direct that any power conferred or any duty imposed on him by or under this Act shall, in such circumstances and under such conditions, if any, as may be specified in the order, be exercised and performed also by any municipal officer or other municipal employee specified in the order.

Section 401. Validity of notices and other documents

No notice, order, requisition, licence, permission in writing or any other document issued under this Act shall be invalid merely by reason of defect of form.

Section 402. Admissibility of document or entry as evidence

A copy of any receipt, application, plan, notice, order or other document or of any entry in a register in the possession of the Council or the Chairperson shall, if duly certified by the legal keeper thereof or other person authorised by the Chairperson in this behalf, be admissible in evidence of the existence of the document or entry, and shall be admitted as evidence of the matters and transactions therein recorded in every case where, and to the same extent to which, the original document or entry would, if produced, have been admissible to prove such matters and transactions.

Section 403. Evidence of Municipal officer or employee

No municipal officer or other municipal employee shall, in any legal proceedings to which the Council is not a party, be required to produce any register or document the contents of which can be proved under section 402 by a certified copy, or to appear as a witness to prove any matter or transaction recorded therein save by order of the court made for special cause.

Section 404. Prohibition against obstruction of any municipal authority

No person shall obstruct or molest the Council or the Chairperson or the Vice-Chairperson or any member or any person employed by the Council or any person with whom the Chairperson has entered into a contract on behalf of the Council in the performance of their duty or of anything which they are empowered or required to do by virtue or in consequence of any provision of this Act or of any rule, regulation or bye-law made thereunder.

Section 405. Prohibition against removal of mark

No person shall remove any mark set up for the purpose of indicating any level or direction incidental to the execution of any work authorised by this Act or of any rule or bye-law made thereunder.

Section 406. Prohibition against removal or obliteration of notice

No person shall, without authority in that behalf, remove, destroy, deface or otherwise obliterate any notice exhibited by or under orders of the Council or the Chairperson or any municipal officer or other municipal employee specified by the Chairperson in this behalf.

Section 407. Prohibition against unauthorised dealings with public place or materials

No person shall, without authority in that behalf, remove earth, sand or other material or deposit any matter or make any encroachment from, in or on any land vested in the Council or in any way obstruct the same.

Section 408. Liability of Chairperson, etc., for loss, waste or misapplication of New Delhi Municipal Fund or property

(1) Every member, Chairperson, and every municipal officer and other municipal employee shall be liable for the loss, waste, or misapplication of any money or other property owned by or vested in the Council, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct and a suit for compensation may be instituted against him by the Council with the previous sanction of the Central Government or by the Government.

(2) Every such suit shall be instituted within three years after the date on which the cause of action arose.

Section 409. Members and municipal officers and employees to be public servants

Every member, the Chairperson, and every municipal officer and other municipal employee shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (45 of 1860), and in the definition of "legal remuneration" in section 161 of that Code the word "Government" shall, for the purpose of this section, be deemed to include the Council.

Section 410. Annual administration report

(1) As soon as may be after the first day of April in every year and not later than such date as may be fixed by the Central Government in this behalf, the Council shall submit to that Government a detailed report of the municipal government of New Delhi during the preceding year in such form as that Government may direct.

(2) The Chairperson shall prepare such report and the Council shall consider it and forward the same to the Central Government with its resolution thereon, if any.

(3) Copies of the report shall be kept for sale at the municipal office.

Section 411. Other laws not to be disregarded

Save as provided in this Act nothing contained in this Act shall be construed as authorising the disregard by the Council or the Chairperson or any municipal officer or other municipal employee of any laws for the time being in force.

Section 412. Exemption of diplomatic or consular missions from payment of tax, etc

The Central Government may, by order in the Official Gazette, exempt from the payment of any tax, rate, fee or other charge payable under the provisions of this Act, any diplomatic or consular mission of a foreign State or the High Commission of a Commonwealth country and any official of such mission or High Commission.

Section 413. Construction of references

After the establishment of the Council any reference in any enactment, rule, bye-law, order, scheme, notification or other instrument having the force of law, to New Delhi Municipal Committee shall, unless the context or subject otherwise requires, be construed as a reference to the Council.

Section 414. Council to undertake work on agency basis

Notwithstanding anything contained in any other provision of this Act, the Council may on such terms and conditions as may be determined by agreement between the Council and any other authority, body or person, carry out any work which is not connected with its functions on agency basis.

Section 415. Power to remove difficulties

If any difficulty arises in relation to the transition from the provisions of any of the laws repealed by this Act, or in giving effect to the provisions of this Act, the Central Government may, by order as occasion requires, do anything which appears to it to be necessary for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiration of two years from the date of establishment of the Council.

Section 416. Repeal and savings

(1) As from the date of the establishment of the Council, the Punjab Municipal Act, 1911 (Punjab Act 3 of 1911), as applicable to New Delhi, shall cease to have effect within New Delhi.

(2) Notwithstanding the provisions of sub-section (1) of this section,-

(a) any appointment, notification, order, scheme, rule, form, notice or bye-law made or issued, and any licence or permission granted under the Act referred to in sub-section (1) of this section and in force immediately before the establishment of the Council, shall, in so far as it is not inconsistent with the provisions of this Act continue in force and be deemed to have been made, issued or granted, under the provisions of this Act, unless and until it is superseded by any appointment, notification, order, scheme, rule, form, notice or bye-law made or issued or any licence or permission granted under the said provisions;

(b) all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the New Delhi Municipal Committee before the establishment of the Council shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Council under this Act;

(c) all budget estimates, assessments, valuations, measurements or divisions made by the New Delhi Municipal Committee shall in so far as they are not inconsistent with the provisions of this Act, continue in force and be deemed to have been made under the provisions of this Act unless and until they are superseded by any budget estimate, assessment, valuation, measurement or division made by the Council under the said provisions;

(d) all properties, movable and immovable and all interests of whatsoever nature and kind therein, vested in the New Delhi Municipal Committee immediately before the establishment of the Council shall with all rights of whatsoever description, use, enjoyed or possessed by New Delhi Municipal Committee vest in the Council;

(e) all rates, taxes, fees, rents and other sums of money due to the New Delhi Municipal Committee immediately before the establishment of the Council shall be deemed to be due to the Council;

(f) all rates, taxes, fees, rents, fares and other charges shall, until and unless they are varied by the Council continue to be levied at the same rate at which they were being levied by the New Delhi Municipal Committee immediately before the commencement of this Act;

(g) all suits, prosecutions and other legal proceedings instituted or which might have been instituted by or against the New Delhi Municipal Committee may be continued or instituted by or against the Council.

Section 417. Expenditure in connection with the Council from the commencement of this Act to the adoption of the budget by the Council

(1) Any expenditure incurred during the period between the commencement of this Act and establishment of the Council under any of the provisions of this Act shall be borne by the Central Government and the amount of the expenditure so incurred shall on such establishment be recoverable by that Government from out of the New Delhi Municipal Fund.

(2) If in respect of the period between the establishment of the Council and the adoption of the first budget by the Council further expenditure from the New Delhi Municipal Fund becomes necessary over and above the expenditure thereto authorised for that year by the sanctioned budget estimate, the Council shall adopt a supplementary statement showing the estimated amount of that expenditure.

(3) Every item of expenditure shown in the supplementary statements adopted by the Council shall be deemed to be expenditure covered by a current budget-grant within the meaning of section 47.

(4) The supplementary statement shall be prepared, presented, and adopted in such manner and shall provide for such matter as may be determined by the Council.

Section 418. Transitory provision

Notwithstanding anything contained in this Act, the Central Government may, if necessary, appoint a person to be called the Special Officer, to exercise the powers and discharge the functions of the Council until the day on which the first meeting of the Council is held after the commencement of this Act.

Section 419. Repeal of Ordinance 8 of 1994

(1) The New Delhi Municipal Council Ordinance, 1994 (Ordinance 8 of 1994), is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provision of this Act.

Schedules

The Schedules are not reproduced in this PDF. Each is in the official file, at the page given:

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