

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

No. F-27/SDM/KJ/2010/96

Dated the 30th March, 2011

ORDER

Subject: Constitution of a sub-Division Level Special Task Force.

In continuation to Order No. 13(32)/92/LSG/UD/616 dated August 7, 1996 constituting District Task Forces for each district, the Lieutenant Government of the National Capital Territory of Delhi is pleased to establish with immediate effect, a Special Task Force for each Sub-Division of each district of Delhi with the following composition:

(i)	Sub-Divisional Magistrate of the sub-division	Convener
(ii)	Assistant Commissioner of Police of the sub-division	Member
(iii)	Deputy Director / Executive Engineer of DDA	Member
(iv)	Zonal Assistant Commissioner of MCD	Member
(v)	Executive Engineer of PWD	Member
(vi)	BDO of Panchayat Department, GNCTD	Member

2. Representatives of other land owning agencies, such as L&DO to be inducted as and when necessary.

3. The functions and responsibilities of the Special Task Force shall be to:

- (i) act on information and intelligence gathered from various sources regarding encroachments and constructions of unsafe and unauthorized buildings.
- (ii) activate land owning agencies to protect and recover encroached lands.
- (iii) act against unauthorized / unsafe constructions whether on public or private lands.
- (iv) initiate action against encroachers / builders of unsafe / unauthorized buildings which shall primarily vest in the land owning agencies including demolition in such cases as may be required.

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- (v) Additionally, removal of debris from the demolition site and protective measures for the future, including fencing of the retrieved land, shall be the responsibility of the land-owning agency.
- (vi) The STF however shall assist the land owning agencies by initiating action under the provisions of Chapter X of the Criminal Procedure Code, 1973, specifically under sections 133, 142 and section 188 of the IPC, 1860. In this context attention is also invited to the provisions of the Delhi Police Act, 1978 to deal with encroachments/unauthorized constructions. Further encroachments on public lands amount to criminal trespass (under section 441 of IPC, 1860). A model order is appended as Annexure-I.
- (vii) The STF shall launch prosecutions under the various provisions of law cited in clause (vi) above and the police shall register cases. Disobedience of orders by any police officer is punishable under section 291 of IPC, 1860. In all cases of illegal constructions (whether by virtue of being unauthorized or constituting an encroachment) prosecution of the owner/occupier and the builder, contractor, architect must be undertaken promptly in accordance with law by the local municipal bodies too under the supervision of the STF (section 467 of the DMC Act and section 373 of the NDMC Act etc.).
- (viii) The STF shall be assisted by three investigating teams each under an Assistant Commissioner of Police. An Additional Commissioner of Police shall be in-charge of the investigating teams. The Additional Commissioner of Police will have a Deputy Commissioner of Police to assist him. While this will be the formal strength of the Special task Force, the Task Force can draw upon extra personnel from the police ranges.
- (ix) The Home Department of the Government of the NCT of Delhi shall place the services of a Prosecutor at the disposal of the Task Force(s).
- (x) The Special Task Forces shall be deemed to be police stations for the registration and investigation of cases under the IPC, 1860 and Local and Special Laws including the Prevention of Corruption Act (a separate order shall be issued by the Home department in this regard).
- (xi) The STF shall file caveats in courts to obviate anyone seeking judicial intervention to stall action.
- (xii) The Task Forces shall submit regular progress reports on the cases taken up.
- (xiii) The STF would have authority cutting across jurisdiction of various land owning agencies.
- (xiv) Members of the STF have to attend meetings of the STF personally and cannot depute their subordinates to represent them.

- (xv) In terms of the order of the Hon' Delhi High Court in CWO 4771/93 dated November 3, 1997 the Junior Engineers and the Station House Officers would be personally responsible for any encroachment or unauthorized structures coming up in their jurisdiction.
- (xvi) The District Task Force will continue to monitor and coordinate the functioning of the STF.
- (xvii) In unauthorized colonies under consideration for regularization only (other localities fall within the jurisdiction of the appropriate local body), any owner of a residential unit intending to carry out repairs/maintenance can make an application to the Sub-Divisional Magistrate, Chairman the Special Task Force concerned, for permission to carry out the said repair and maintenance works.
- (xviii) The repairs and maintenance permissible shall be as defined under bye-law 6.4.1 of the MCD bye-laws (Annexure 2).
- (xix) The application shall be submitted on plain paper and shall be accompanied with photographs indicating the exact nature and extent of the repairs and maintenance proposed. The application shall indicate the time schedule within which the repairs/maintenance shall be carried out.
- (xx) On submission of such an application for repair/maintenance, the Special Task Force headed by the sub-Divisional Magistrate shall accord or refuse (with cogent reasons for doing so) approval within seven working days of receipt of the application.
- (xxi) The approval shall be valid for the period within which the work is expected to be completed.
- (xxii) On the date the work was to be completed the applicant/owner shall provide photographic evidence of the work carried out or, if required, apply for time extension with reasons. On an application for extension the Special Task Force shall examine the same and pass appropriate orders. If the work is reported to be completed, the Special task Force shall inspect the site to verify the veracity of the works carried out.
- (xxiii) Regular monitoring of unauthorized constructions and encroachments and specific of approved repair works (both during and after the repairs are carried out) shall be the responsibility of the STF.

- (xxiv) The STF shall submit a monthly report to the DTF and the Deputy Commissioners as chairmen of the DTF shall submit a report to the Divisional Commissioner for furnishing a report to the offices of HE LG, Hon' Chief Minister, Hon' Revenue Minister, Hon' Urban Development Minister, and heads of land owning agencies.
- (xxv) The reports referred to in (xxiv) shall be submitted by the 5th of each successive month and shall cover the period up to 25th of the preceding month.

By Order and in the name of
the Lieutenant Governor

Longhela - 30/3/11
(D.M. SPOLIA)
Principal Secretary
Revenue Department
Government of the NCT of Delhi

No. F-27/SDM/KJ/2010/36

Dated the 30th March, 2011

Copy forwarded for compliance to:

1. Principal Secretary (Power), GNCTD.
2. Commissioner, Municipal Corporation of Delhi.
3. Vice-Chairman, DDA.
4. Principal Secretary, Public Works Department, GNCTD.
5. Chairman, NDMC.
6. Chief Executive Officer, Delhi Jal Board.
7. Principal Secretary (Home), GNCTD.
8. Commissioner of Police, I.P. Estate, New Delhi - 110 002 [kind attention is invited to sub-para (viii) of para 3 for necessary action and with the request that the order may kindly be circulated to all concerned]
9. Secretary (Urban Development), GNCTD.
10. Land & Development Officer, M/o Urban Development, Nirman Bhawan, New Delhi.
11. All Deputy Commissioners (Revenue), GNCTD.
12. Special Inspector General of Registration, Revenue Department, GNCTD.
13. Additional Secretary (Revenue), GNCTD.
14. All Deputy Commissioners of Police.
15. Director (Panchayat), GNCTD.
16. All Sub-Divisional Magistrates.
17. All Sub-Divisional Magistrates (Headquarters).