

**No. 6(4)-18(68)-CDN
Government of India
Ministry of Works & Housing
Nirman Bhawan, New Delhi.**

Dated the 4th January, 1985.

OFFICE ORDER NO. 1/85

SUB: Breaches (Charges for change of use/Unauthorised construction etc.) - Date of determination thereof.

It has been brought to my notice in a few cases that the terms are not being finalised due to the uncertainty prevailing regarding the date of commencement of the misuse or unauthorised construction. An Office Order No. 13/78 was issued on 10.03.1978 wherein it was laid down that the date of misuse/unauthorised construction will be constructed from the date of inspection when such misuse/unauthorised construction was discovered. This order also provides that if the Overseers are able to obtain a prior date either by means of local investigation or by reference to Municipal Corporation of Delhi a suitable ex-gratia reward of honorarium will be given to the Overseer concerned. I have considered the matter and I am of the view that this provision that an earlier date can be established by the Overseer will lead to disorientation as it is left to the Overseer to either make the investigation or not. In the event I order that henceforth only the date of inspection should be taken as the date of commencement of the misuse/date have been established on the basis of these orders on 10.05.1978 will not be re-opened.

(N. SHANKAR)
LAND & DEVELOPMENT OFFICER

To

All Officers/Sections.

Copy to:- Ministry of Works & Housing – for information.

(N. SHANKAR)
LAND & DEVELOPMENT OFFICER