



File No. F. 13/97/2018/HG /A1312-1313

Dated: 19th June, 2025

ORDER

Whereas, with prior sanction of the then Hon'ble Lt. Governor, Delhi in terms of provisions of Section 28 (2) of Delhi Police Act, 1978, Commissioner of Police, Delhi, had notified regulations under section 28 (1) of Delhi Police Act, 1978, for regulating and issuing licences/No Objection Certificates/permissions for the following categories of trade activities within the jurisdiction of Delhi:-

Sl.No.	Name of Trade Activity	Regulation No. and Date
1.	Swimming Pools	No.1517/Special Cell/PHQ dated 23.06.1980
2.	Eating Houses	No.160/ Joint CP/ Licensing (EDP) dated 08.04.2023 {GSR No. 285 (E)}
3.	Hotels/ Motels/ Guest Houses	No.161/ Joint CP/ Licensing (EDP) dated 08.04.2023 {GSR No. 284 (E)}
4.	Discotheques	GSR No. 812 (E) dated 31.10.2023
5.	Video Game Parlours	GSR No. 812 (E) dated 31.10.2023
6.	Amusement Parks	GSR No. 812 (E) dated 31.10.2023
7.	Auditoriums	GSR No. 812 (E) dated 31.10.2023

2. And whereas, Govt. of India, with an intention to achieve the motto of '*Minimum Government and maximum governance*', has taken up an initiative to reduce multiple licensing regimes, being followed in different States/Union Territories and requested for simplifying licensing procedures.

3. And whereas, Hon'ble High Court of Delhi, in its judgement dated 24.04.2003 in WP (Civil) titled Association of Victim of Upahaar Tragedy Vs Union of India & Ors., had recommended that '*Delhi Police should only be concerned with Law and Order and entrusting of responsibility of licencing on the police force is an additional burden upon the already overburdened city Police force*'.

4. And whereas, Hon'ble Supreme Court of India, in Civil Appeal Nos. 7116/2003, CA No. 6748/2004 and Criminal Appeal No. 597/2020 titled Sushil Ansal Vs State thr. CBI, while affirming the recommendations of Hon'ble High Court of Delhi, in the above matter, had also suggested to the Government that '*The existing system of police granting licences should be abolished*'.

5. And whereas, a Committee under the chairmanship of the then Addl. Chief Secretary (Home), with officers of Delhi Police, Law and IT Department of GNCTD, as members, was constituted to look into the entire gamut of license/ NOCs/permissions, being granted by the Licensing Unit, Delhi Police, and their relevance/need/ justification in changed scenario.

6. And whereas, after considering the report of the above Committee, the then Chief Secretary, Delhi, while observing that Delhi Police is facing shortage of staff, which affects its core policing duties, recommended that Delhi Police be relieved of the responsibilities of regulating licences in the respect of above seven trades.

7. And whereas, Section 28 (4) of the Delhi Police Act, 1978, stipulates that *"If any regulation made under this section relates 'to any matter with respect to which there is a provision in any law, rule or bye-law of the Corporation or of any other municipal or local authority in relation to public health, convenience or safety of the locality such regulation shall be subject to such law, rule or bye-law.'"*

8. And whereas, Municipal Corporation of Delhi, New Delhi Municipal Council and Cantonment Board have also framed regulations for regulating the above trade activities in Govt. of NCT of Delhi, in terms of provisions of their respective Acts.

9. And whereas, the overlapping of regulations issued under Delhi Police Act, 1978, and Municipal Laws, by multiple authorities for the above mentioned activities, is impinging the overall '*ease of doing business*'.

10. And whereas, progressive states like Gujarat, Karnataka, Maharashtra, Goa etc., have already done away with the requirement of licenses from Police for above categories.

11. And whereas, in furtherance to achieving the motto of '*Minimum Government and maximum governance*' and also to meet the challenges of an evolving economy and make it more robust, it has been decided that requirement of multiple regulations in respect of above seven categories is revisited in terms of present scenario.

12. And whereas, the matter was examined in terms of section 21 of the General Clauses Act, 1897 in consultation with Law Department, Govt. of NCT of Delhi and it was observed that in respect of the policy decision on this reserved subject, the Hon'ble Lt. Governor is well within his powers to direct the Commissioner of Police to rescind the relevant regulations through a general order/notification, to remove such anomalies arising out of overlapping jurisdictions and to promote ease of doing business.

13. And whereas, section 28 of Delhi Police Act, 1978, provides for making regulations for regulating traffic and for preservation of order in public places, etc., including the above mentioned seven trade activities. The said section stipulates as under:

"28 (1) The Commissioner of Police may, by notification in the Official Gazette, make regulations to provide for all or any of the following matters, namely:—

(2) The power to make regulations under clause (b) of sub-section (1) shall be subject to the control of the Administrator and the power to make regulations under the other clauses of that sub-section shall be subject to the previous sanction of the Administrator.

(3) The power of making regulations under this section shall be subject to the conditions of the regulations being made, after previous publication and for the purposes of Section 23 of the General Clauses Act, 1897 (10 of 1897), such regulations shall be deemed to be rules; ...:

14. And whereas, sections 4 of the Delhi Police Act, 1978, provides as under: -

"4. Superintendence of police force to vest in the Administrator.—The superintendence of the Delhi police throughout Delhi shall vest in, and be exercisable by the Administrator and any control, direction or supervision exercisable by any officer over any member of the police force shall be exercisable subject to such superintendence."

15. And whereas, I have now taken a considered view to repeal the regulations under Section 28 (1) of the Delhi Police Act, 1978, covering the seven trade activities mentioned at Para 1.

16. Now, therefore, in exercise of powers under section 28 (2) read with section 4 of Delhi Police Act, 1978, I hereby withdraw the sanction granted to Commissioner of Police, Delhi, for issuance of regulations under Section 28 (1) of the Delhi Police Act, 1978, covering the seven activities mentioned at Para 1 and Commissioner of Police, Delhi, is directed to issue a notification repealing the said regulations with immediate effect. The repeal notification shall be given wide publicity by Delhi Police and Home Department.



(Vinai Kumar Saxena)
Lieutenant Governor, Delhi

- (i) Chief Secretary, Delhi.
- (ii) Commissioner of Police, Delhi.