THE PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) RULES, 1971[1]

In exercise of the powers conferred by section 18 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following rules, namely:—

1. Short title.—These rules may be called the Public Premises (Eviction of Unauthorised Occupants) Rules, 1971.

2. Definitions.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971);

(b) "Form" means a form appended to these rules;

(c) all other words and expressions used hereinafter but not defined herein shall have the same meaning as respectively assigned to them in the Act.

3. Form of notices or orders.—A notice or order under the Act shall be in one of the appropriate Forms appended to these rules.

4. Manner of service of notices and orders.—(1) In addition to any mode of service specified in the Act, [2][a notice issued under sub-section (1) of section 4 or sub-section (2) of section 5A or sub-section (1) of section 5B or sub-section (1) or sub-section (1A) of section 6 [3][or an order issued under section 3A or sub-section (1) of section 5] or sub-section (1) or sub-section (2) or sub-section (5) of section 5B or sub-section (1) or sub-section (2) of section 5C or sub-section (1) or sub-section (2) of section 7 of the said Act shall be served by delivering, or tendering a copy of the notice or order, as the case may be,] to the person for whom it is intended or to any adult member of his family, or by sending it by registered post acknowledgement due in a letter addressed to that person at his usual or last-known place of residence or business.

(2) Where the copy of [2][the notice or the order, as the case may be,] under sub-rule (1) is delivered or tendered the signature of the person to whom the copy is so delivered or tendered should be obtained in token of acknowledgement of the service.

(3) In respect of a [2][notice issued under sub-section (1) of section 4 or sub-section (2) of section 5A or sub-section (1) or sub-section (1A) of section 6 [3][or an order issued under section 3A or sub-section (1) or sub-section (3) of section 5A] or sub-section (1) or sub-section (2) or sub-section (5) of section 5B or sub-section (1) or sub-section (2) of section 5C or sub-section (1) or sub-section (2) of section 7 of the said Act] where the person or the adult member of the family of such person refuses to sign the acknowledgement, or where such person cannot be found after using all due and reasonable diligence, and there is no adult member of the family of such person, a copy of [2][the notice or the order, as the case may be], shall be affixed on the outer door or some other conspicuous part of the ordinary residence or usual place of business of such person and the original shall be returned to the estate officer who issued [2][the notice or the order, as the

1. *Vide* G.S.R. 1883, dated 25th November, 1971, published in the Gazette of India Extra., Pt. II, Sec. 3(i), dated 18th December, 1971.
2. Subs. by G.S.R. 114 (E), dated 23rd September, 1986 (w.e.f. 29-9-1986).
3. Subs. by G.S.R. 3 (E), dated 19th December, 1997 (w.e.f. 2-1-1998).

case may be] with a report endorsed thereon or annexed thereto stating that a copy has been so affixed, the circumstances under which it was done so and the name [1][and] address of the person, if any, by whom the ordinary residence or usual place of business was identified and in whose presence the copy was affixed.

[2][(4) If a notice under sub-section (1) of section 4 or sub-section (2) of section 5A or sub-section (1) or sub-section (1A) of section 6 or an order issued under sub-section (1) of section 5 or sub-section (1) or sub-section (2) or sub-section (5) of section 5B or sub-section (1) or sub-section (2) of section 5E or sub-section (1) or sub-section (2) of section 7 of the said Act cannot be served in the manner provided in sub-rule(1), the estate officer may, if he thinks fit, direct that such notice or order, as the case may be, shall also be published in at least one newspaper having circulation in the locality and he may also proclaim the contents of any notice or order in the locality by beat of drum.]

5. Holding of inquiries.—(1) Where any person on whom a notice or order under this Act has been served desires to be heard through his representative he should authorise such representative in writing.

(2) The estate officer shall record the summary of the evidence tendered before him. The summary of such evidence and any relevant documents filed before him shall form part of the records of the proceedings.

6. Transfer of pending proceedings.—(1) On the application of any person to whom a notice under the Act has been served and after hearing him, if he desires to be heard, or of its or his own motion, the Central Government or any Gazetted officer especially authorised by the Central Government in this behalf by notification in the Official Gazette may at any stage transfer any proceeding before an estate officer for disposal of the same.

(2) Where any proceeding has been transferred under sub-rule (1), the estate officer who thereafter is in charge of such proceeding may, subject to any special directions in the order of transfer, either re-start it or proceed from the point at which it was transferred.

7. Manner of taking possession of public premises.—[2][(1) If any obstruction is offered, or is in the opinion of the estate officer likely to be offered—

(a) to the taking possession of any public premises; or

(b) to the sealing of erection or work or of the public premises, under the said Act, the estate officer or any other officer duly authorised by him in this behalf may obtain necessary police assistance:

Provided that no sealing or taking possession of the unauthorised construction shall be made before sunrise or after sunset.]

(2) Where any public premises of which possession is to be taken under the Act is found locked, the estate officer or any other officer duly authorised by him in this behalf may either seal the premises or in the presence of two witnesses break open the locks or open or cause to be opened any door, gate or other barrier and enter the premises:

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1. Ins. by G.S.R. 41, dated 4th July, 1981 (w.e.f. 8-8-1981).
2. Subs. by G.S.R. 114 (E), dated 23rd September, 1986 (w.e.f. 29-9-1986).

Provided that,—

(1) no entry shall be made into, or possession taken of a public premises before sunrise or after sunset;

(2) where any public premises is forced open, an inventory of the articles found in the premises shall be taken in the presence of two witnesses.

[1][(3) The sealing under sub-section (1) of section 5C of the Act shall be made in the following manners, namely:—

(i) affixing the office seal on outer door or any erection or work of any public premises after all other outlets and inlets to the erection or work or public premises have been properly bolted, locked or encircled with rope, wire or wire mesh;

(ii) where doors and windows have not been fixed to any erection or work or public premises or where the erection of work on public premises is of such a nature that it cannot be encircled with rope, wire or wire-mesh in that case such erection or work or public premises shall be covered by wooden planks, iron or cement sheets and office seal affixed in a manner that no person can enter into or upon the erection or work or public premises without tampering the office seal:

(iii) where any erection or work or any public premises is found locked, the lock may be broken or any door, gate or any other barrier caused to be opened in the presence of two witnesses and an inventory of the articles found in the premises shall be prepared in the presence of the two witnesses before affixing the seal in the manner aforesaid.]

8. Assessment of damages.—In assessing damages for unauthorised use and occupation of any public premises the estate officer shall take into consideration the following matters, namely:—

(a) the purpose and the period for which the public premises were in unauthorised occupation;

(b) the nature, size and standard of the accommodation available in such premises;

(c) the rent that would have been realised if the premises had been let on rent for the period of unauthorised occupation to a private person;

(d) any damage done to the premises during the period of unauthorised occupation;

(e) any other matter relevant for the purpose of assessing the damages.

9. Procedure in appeals.—(1) An appeal preferred under section 9 of the Act shall be in writing, shall set forth concisely the grounds of objection to the order appealed against, and shall be accompanied by a copy of such order.

(2) On receipt of the appeal and after calling for and perusing the record of the proceedings before the estate officer, the appellate officer shall appoint a time and place for the hearing of the appeal and shall give notice thereof to the estate officer against whose order the appeal is preferred, to the appellant and to the head of the department or authority in administrative control of the premises.

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1. Ins. by G.S.R. 114 (E) dated 23rd September, 1986 (w.e.f. 29-9-1986).

10. Repeal.—The Public Premises (Eviction of Unauthorised Occupants) Rules, 1958, is hereby repealed.

[1][FORM A

Form of notice under sub-section (1) and clause (b) (ii) of sub-section (2) of section 4 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Smt./Km.....

Whereas I, the undersigned, am of opinion, on the grounds specified below that you are in unauthorised occupation of the Public Premises mentioned in the Schedule below and that you should be evicted from the said premises:

Grounds

Now, therefore, in pursuance of sub-section (1) of section 4 of the Act, I hereby call upon you to show cause on or before the*..... why such an order of eviction should not be made.

And in pursuance of clause (b) (ii) of sub-section (2) of section 4, I also call upon you to appear before me in person or through a duly authorised representative capable to answer all material questions connected with the matter along the evidence which you intend to produce in support of the cause shown, on.....at.....for personal hearing. In case, you fail to appear on the said date and time, the case will be decided *ex parte*.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

*. This date should be a date later than 7 days from the date of issue of this notice.

[2][FORM AA

Form of notice under sub-section (2) of section, 5A of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Smt./Km.....

Whereas I, the undersigned, am of the opinion on the grounds specified below, that the building/structure/fixture erected, goods displayed/spread, cattle/animal brought on the public premises mentioned in the Schedule below is/are in contravention of the provisions of sub-section (1) of section 5A and that the said building/structure/fixture, erected, goods displayed/spread, cattle/animal brought on the said public premises should be removed from the said premises.

Grounds

Now, therefore, in pursuance of sub-section (2) of section 5A of the Act, I hereby call upon you to remove the said building/structure/fixture erected, goods displayed spread, cattle/animal brought on the public premises mentioned in the Schedule below on or before the*.....or to show cause why this should not be removed on or before the above mentioned date. In the event of your refusal or failure to comply with this notice

1. Subs. by G.S.R. 41, dated 4th July, 1981 (w.e.f. 8-8-1981).
2. Added by G.S.R. 41, dated 4th July, 1981 (w.e.f. 8-8-1981).

within the period specified above, the said goods/animal, cattle/work, etc., shall be removed by the Estate Officer authorised by him and the cost of such removal shall be recovered from you as arrears of land revenue.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

*. This date should be a date later than 7 days from the date of issue of this notice.

[1][FORM AAI

Order under sub-section (2) of section 5A of the said Act

To

Shri/Smt./Km.....

Whereas, I the undersigned, is of the opinion on the grounds specified below that you have erected/placed/raised the building/immovable structure/fixture on the public premises mentioned in the Schedule below in contravention of the provisions of sub-section (1) of section 5A of the said Act;

2. And whereas, by a written notice dated ..... you were called upon to remove or to show cause by ..... why you should not remove such building/immovable structure/fixture from the said public premises;

And whereas you have omitted/refused to show cause/remove such building/immovable structure/fixture from the said public premises;

And whereas I have considered the causes shown by you for not removing the said building/immovable structure/fixture from the said public premises.

Grounds

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 5A of the said Act, I hereby order that the said building/immovable structure/fixture be removed form the said public premises. I also hereby order Shri/Smt./Km..... to pay a sum of Rs...../- (Rupees.....) assessed by me as cost of removal of the said building/immovable structure/fixture from the said public premises as an arrear of land revenue.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

[1][FORM AAII

Order under sub-section (3) of section 5A of the said Act

To

Shri/Smt./Km.....

Whereas, I the undersigned on the grounds specified below is of the opinion that the movable structure/fixture erected/placed/raised, goods displayed/spread, cattle/animal, brought/kept on the public premises mentioned in the Schedule below by Shri/Smt./Km.....is/are contravention of the provisions of sub-section (1) of section 5A of the said Act and that the said movable structure/fixture erected/placed/raised, goods displayed/spread, cattle/animal brought on the said public premises be removed from the said premises;

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1. Ins. by G.S.R. 114 (E), dated 23rd September, 1986 (w.e.f. 29-9-1986).

Grounds

Now, therefore, in exercise of powers conferred by sub-section (3) of section 5A of the said Act, I hereby order that the said movable structure fixture, erected/placed, raised, goods displayed spread, cattle/animal brought kept on the said public premises be removed from the said public premises. I also hereby order Shri/Smt./Km. ..... to pay a sum of Rs. ..... (Rupees .....) assessed by me as cost of removal of movable structure/fixture erected placed/raised, goods displayed/spread, cattle/animal brought/kept on the said public premises as an arrear of land revenue.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

[1][FORM AB

Form of notice under proviso to sub-section (1) of section 5B of the Act

To

Shri/Smt./Km.....

Whereas I, the undersigned is of the opinion on the grounds specified below, that you have erected/completed/commenced the work on the public premises specified below in the Schedule in contravention of, or not authorised by the competent authority and that the said work be demolished in the said premises.

Grounds

Now, therefore, in pursuance of proviso to sub-section (1) of section 5B of the said Act, I hereby call upon to show cause on or before the* ..... why an order for demolition of such erection work may not be made.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

*. This date should be a date after expiry of 7 days from the date of publication of the notice.

[2][FORM B

Order under sub-section (1) of section 5 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

Whereas I, the undersigned, am satisfied for the reasons recorded below that Shri/Smt./Km. ..... is/are in unauthorised occupation of the public premises specified in the Schedule below:

Reasons

Now, therefore, in exercise of the powers conferred on me under sub-section (1) of section 5 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I hereby order the said Shri/Smt./Km. ..... and all persons who may be in occupation of the said premises or any part thereof to vacate the said premises within 15 days of the date of publication of this order. In the event of refusal or failure to comply with this order within the period specified above the said Shri/Smt./Km.....and all other persons, concerned are liable to be evicted from the said premises, if need be, by the use of such force as may be necessary.

Schedule

Date..... Signature and seal of the Estate Officer]

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1. Added by G.S.R. 41, dated 4th July, 1981.
2. Subs. by G.S.R. 41, dated 4th July, 1981.

[1][FORM BB

Notice/Order under sub-section (1) of section 5B of the said Act

To

Shri/Smt./Km.....

Whereas, I the undersigned, is satisfied for the reasons recorded below that the work created/completed/commenced by Shri/Smt./Km. ..... on the public premises specified in the Schedule is in contravention of the provisions of the said Act, or not authorised by the competent authority;

And whereas, by a written notice dated*..... you were called upon to remove or to show cause by ..... why you should not remove such building/immovable structure/fixture from the said public premises;

And whereas you have omitted/refused to show cause/remove such building/immovable structure/fixture from the said public premises.

And whereas I have considered the cause shown by you for not removing the said building/immovable structure/fixture from the said public premises.

Reasons

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 5B of the said Act, I hereby order Shri/Smt./Km. .....that the said work shall be demolished. In the event of your refusal or failure to comply with this order, the said work shall be demolished by the Estate Officer or the officer authorised by him and the expenses of such demolition shall be recovered from you.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

*. This date should be a date after expiry 7 days from the date of publication of the notice.

[2][FORM BBI

Order under sub-section (2) of section 5B of the said Act

To

Shri/Smt./Km.....

Whereas, I the undersigned, is of the opinion that the work erected/commenced by Shri/Smt./Km.....on the public premises specified in the Schedule is in contravention of the Act or not authorised by the competent authority.

Reasons

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 5B of the said Act, I hereby direct Shri/Smt./Km..... 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 section 9.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

FORM BBII

Order under sub-section (5) of section 5B of the Act

Whereas in pursuance of the order under sub-section (1) of section 5B of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, the work erected/completed/commenced by Shri/Smt./Km.....on the public premises specified in the Schedule was demolished and the expenditure of such demolition are recoverable from the said Shri/Smt./Km.....

1. Ins. by G.S.R. 41, dated 4th July, 1981 and subs. by G.S.R. 114 (E), dated 23rd September, 1986.
2. Ins. by G.S.R. 114 (E), dated 23rd September, 1986.

Now, therefore in exercise of the powers conferred by sub-section (5) of section 5B of the said Act, I hereby order Shri/Smt./Km.....to pay a sum of Rs.....(Rupees.....) as expenses of such demolition within.....(Date to be specified in order No. .....of instalments.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

[1][FORM BC

Order under sub-section (1) of section 5C of the Act

Whereas, I the undersigned, is satisfied that the work erected/completed/commenced by Shri/Smt./Km.....on the public specified in the Schedule below is in contravention of the provisions of the said Act, or not authorised by the competent authority.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 5C of the said Act, I hereby order that the said work shall be sealed forthwith.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

[1][FORM BD

Order under sub-section (2) of section 5C of the Act

Whereas, the work/erected/completed/commenced by Shri/Smt./Km..... in contravention of the provisions of the said Act, or not authorised by the competent authority on the public premises specified in the Schedule below was sealed on.....in pursuance of order under sub-section (1) of section 5C of the said Act.

And whereas it is necessary for such seal to be removed for the purpose of demolition of such work erected/completed commenced by Shri/Smt./Km. .....in contravention of or not authorised by the competent authority for the purpose of demolition of such work erected/completed/commenced by Shri/Smt./Km. .....

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 5C of the said Act, I hereby order that the said seal from the said public premises be removed forthwith for demolition of such work erected/completed/commenced on the said public premises.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

FORM C

Form of notice under sub-section (1) of section 6 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

Shri/Smt./Km.....

Whereas, on the.....you were evicted from the public premises described in the Schedule below which was unauthorisedly occupied by you;

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of section 6 of the Act, I hereby give you notice that after fourteen days of the service of this notice on you, any property remaining on the said premises will be liable to be removed or disposed of by public auction. In case you desire to take possession of your property and to remove the same from the said premises you will be permitted to do so on written authority from the undersigned provided any arrears of rent/damage/costs due from you are paid within the said period of fourteen days.

1. Ins. by G.S.R. 114 (E), dated 23rd September, 1986.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

[1][FORM CC

Form of notice under sub-section (1A) of section 6 of the said Act

To

Shri/Smt./Km.....

Whereas in compliance of the order made under sub-section (2) of section 5A of the said Act, the Estate Officer has removed the goods described in the Schedule below from the Public Premises No.....

Now, therefore, in exercise of the powers conferred on me by sub-section (1A) of section 6 of the said Act, I hereby give you notice, that after fourteen days of the service of the notice on you such goods as described in the Schedule below shall be disposed of by public auction. In case you desire to take possession of your such goods, you will be permitted to do so on written authority from the undersigned provided any arrears for rent/damages/cost due from you are paid within the said period of fourteen days.

Schedule

Date..... Signature and seal of the Estate Officer]

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[2][FORM D

Form of notice under sub-section (3) of section 7 of Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Smt./Km.....

Whereas I, the undersigned, am satisfied that you are/were in occupation of the public premises described in the Schedule below;

And whereas in exercise of the powers conferred on me by sub-section (1) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I consider that a sum of Rs.....(Rupees.....) being arrears of rent from the .....day of .....20....., upto the ..... day of .....20 .....(both days inclusive) in respect of the said premises is due and payable by you to the Government Statutory Authority;

And whereas in exercise of the powers conferred on me by sub-section (2A) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I consider that you are also liable to pay simple interest to the Government/Statutory Authority on the said arrears at the rate determined by the undersigned till its final payment;

Now, therefore, in pursuance of sub-section (3) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I hereby call upon you to show cause on or before the ..... why an order requiring you to pay the said arrears of rent together with simple interest should not be made.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

[2][FORM E

Form of Order under sub-sections (1) and (2A) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Smt./Km.....

Whereas you are/were in occupation of the public premises described in the Schedule below.

---

1. Ins. by G.S.R. 41, dated 4th July, 1981 and subs. by G.S.R. 114 (E), dated 23rd September, 1986.
2. Subs. by G.S.R. 41, dated 4th July, 1981 (w.e.f. 8-8-1981).

And whereas, by a written notice dated.....you are/were called upon to show cause on/or before.....why an order requiring you to pay a sum of Rs.....(Rupees.....) being the rent payable together with simple interest in respect of the said premises should not be made;

And whereas I have considered you objections and/or the evidence produced by you;

And whereas you have not made any objections or produced any evidence before the said date;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I hereby require you to pay the sum of Rs.....

In exercise of the powers conferred by sub-section (2A) of section 7 of the said Act, I also hereby require you to simple interest @ Rs. ..... per annum on the above sum w.e.f. ..... till its final payment.

In case the said sum is not paid within the said period or in the said manner, it will be recovered as arrears of land revenue through the Collector.

Schedule

Date.....

Signature and seal of the Estate Officer]

.....

[1][FORM F

Form of notice under sub-section (3) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Smt./Km.....

Whereas I, the undersigned, am satisfied that you are/were in unauthorised occupation of the public premises mentioned in the Schedule I below:

And whereas, in exercise of the powers conferred on me by sub-section (2) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I consider the damages, amounting to Rs.....(Rupees.....) are due for the period(s) and at the rate (s) sown in Schedule II below on account of unauthorised use and occupation of the said premises;

And, whereas, in exercise of the powers conferred on me sub-section (2A) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I consider that you are also liable to pay simple interest to the Government/Statutory Authority on the said arrears at the rate determined by the undersigned till its final payment.

Now, therefore, under the provisions of sub-section (3) of section 7 of the Act, I hereby call upon you to show-cause on or before ..... why an order requiring you to pay the said damages together with interest should not be made.

Schedule I

Schedule II

Period	Rate at which assessed	Amount assessed	Amount paid	Balance in arrears

Date.....

Signature and seal of the Estate Officer]

.....

1. Subs. by G.S.R. 41, dated 4th July, 1981 (w.e.f. 8-8-1981).

[1][FORM G

Form of Order under sub-sections (2) and (2A) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Smt./Km.....

Whereas I, the undersigned, am satisfied that you are/were in unauthorised occupation of the public premises mentioned in the schedule below:

And whereas by a written notice dated.....you are/were called upon to show cause on or before.....why an order requiring you to pay damages of Rs. .....together with simple interest for unauthorised use and occupation of the said premises should not be made;

And whereas I have considered your objections and/or the evidence produced by you;

And whereas you have not any objections or produced any evidence before the said date;

Now, therefore, in exercise of the powers conferred on me by sub-section (2) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I hereby order you to pay the sum of Rs..... (Rupees.....) assessed by me as damages on account of your unauthorised occupation of the premises.

In exercise of the powers conferred by sub-section (2A) of section 7 of the said Act, I also hereby require you to pay simple interest at the rate of Rs. .....per annum on the above sum w.e.f..... till its final payment.

In the event of your refusal or failure to pay the damages or any instalment thereof within the said period or in the manner aforesaid the amount will be recovered as an arrear of land revenue.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

FORM H

Form of Order under section 12 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Smt./Km.....

Whereas, there are reasons to believe that certain persons are in unauthorised occupation of the public premises described in the Schedule hereto annexed.

Now, therefore, in exercise of the powers conferred by section 12 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 read with the notification of the Estate Officer ..... I hereby require you to furnish the information in the form specified in Schedule II hereto annexed on or before .....

Schedule I

Schedule II

Date..... Signature and Seal of the Estate Officer or the Signature of the Officer authorised by the Estate Officer.

Note.—Failure to comply with this order is an offence under the Indian Penal Code.

1. Subs. by G.S.R. 41, dated 4th July, 1981 (w.e.f. 8.8.1981).

[1][FORM I

Certificate under section 14 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, from the Estate Officer to the Collector

This is to certify that an amount of Rs. ..... (Rupees.....) is due to Central Government/Statutory authority from Shri/Smt./Km.....in respect of .....for the period from ..... to .....on account of rent/damages/expenses/costs/interest.

In pursuance of section 14 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I, ..., Estate Officer, request you to proceed to recover the same as arrears of land revenue.]

FORM J

Notice under sub-section (2) of section 13 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Smt./Km.....

Whereas Shri/Smt./Km. ..... (now deceased) was in occupation/unauthorised occupation of the public premises described in the Schedule below:

And whereas the amount of Rs. .....being arrears of rent/damages from..... day of .....20....., upto the .....day of .....20....., in respect of the said premises had become due and payable by the said Shri.....to the Government:

And whereas you are the heir/legal representative of the deceased, Shri.....;

Now, therefore, in pursuance of sub-section (2) of section 13 of the Act, I hereby call upon you to show cause on or before the* .....why an order requiring you to pay the said arrears of rent/damages should not be made against you.

Schedule

Date..... Signature and seal of the Estate Officer]

.....

*. This date should be a date later than 7 days from the date of issue of the notice.

[2][FORM K

Form of Order under section '3A' of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

All persons concerned and in particular

Shri/Smt.....

Suit/Flat No. .....

Servant Qtr. No. .....

Motor Garrage No. .....

Whereas, I, the undersigned am satisfied for the reasons recorded below that Shri/Smt. .....is in unauthorised occupation of the public premises specified in the Schedule below.

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1. Subs. by G.S.R. 41, dated 4th July, 1981 (w.e.f. 8-8-1981).
2. Ins. by G.S.R. 3 (E) dated 19th December, 1997 (w.e.f. 2-1-1998).

Reasons

Shri/Smt. .....was allowed temporary occupation of Public Premises specified in the Schedule below for the period from.....to.....

He/She has been continuing to occupy the same even after the expiry of the said period of allotment without any authority.

Now, therefore, in exercise of the powers conferred on me under section 3A of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I hereby order that the said Shri/Smt .....and all other persons who may be in occupation of the said premises or any part thereof to vacate the premises forthwith. In the event of refusal or failure to comply with this order, the said Shri/Smt.....and all other concerned are liable to be evicted from the said premises, if need be, by use of such force as may be necessary.

Schedule

Suit Flat No. .....

Servant Quarter/Garrage.....

Signature and seal of the Estate Officer]

.....

IndiaCode