

The Allahabad Development Authority (The Time and Manner of Payment of Betterment Charge) Bye-Laws, 1984

UTTAR PRADESH

India

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Rule

THE-ALLAHABAD-DEVELOPMENT-AUTHORITY-THE-TIME-AND-MANNER OF PAYMENT OF BETTERMENT CHARGE) BYE-LAWS, 1984

- Published on 18 February 1984
- Commenced on 18 February 1984
- [This is the version of this document from 18 February 1984.]
- [Note: The original publication document is not available and this content could not be verified.]

The Allahabad Development Authority (The Time and Manner of Payment of Betterment Charge) Bye-Laws, 1984 Published vide Notification No. 1067/XXXVII-2-224-D-A-80, dated February, 16, 1984, published in U.P. Gazette, Extra, dated 18th February, 1984, pp. 3-5]

034.

In exercise of the powers under clause (c) of Section 57 of the U.P. Urban Planning and Development Act, 1973 (Presidents Act No. 11 of 1973) as re-enacted . with midification by the U.P. Presidents Act (Re-enactment with Modification) Act, 1974 (U.P. Act No. 30 of the 1974) the Allahabad Development Authority after previous approval of the State Government makes the following Bye-laws ;

1. Short title and commencement.

(1)These Bye-laws may be called the Allahabad Development Authority (the Time and Manner of Payment of Betterment Charge) Bye-Laws, 1984.(2)They shall come into force with effect from the date of their publication in the Gazette.(3)They shall apply to the areas falling under the Allahabad Development Authority.

2. Definition.

- In these Bye-laws, unless the context otherwise requires, "betterment charge" shall mean the amount of "betterment charge" determined under Section 36 of the Act.

3. Notice or demand.

- When the amount of betterment charge has been finally assessed by the Vice-Chairman under sub-section (2) of Section 36 of the Act, or has been finally determined by the Chairman under sub-section (4) of Section 36 of the Act, the Development Authority or an Officer authorised in this behalf shall by notice in Form 'A' require the assessee to pay the betterment charge so assessed or determined in six bi-monthly instalments. The first instalment shall be payable within two months of the date on which the notice is issued: Provided that the assessee may at any time pay the entire amount of the betterment charge or of the balance then due and in such cases he may be allowed a rebate of ten per cent.

4. Certificate of arrear.

(1) In the event of recover of the arrears of the betterment charge as arrears of land revenue, the Development Authority or an officer authorised in this behalf, shall forward a certificate to the Collector of the district concerned specifying the amount due from the assessee. (2) Every certificate referred to above shall be prepared in Form 'B' under signature of the officer authorised in this behalf by Development Authority and under its seal.

5. Recovery of arrears.

- On receipt of the certificate in accordance with Bye-laws No. 4 the Collector shall cause the same to be entered in a register maintained for the purpose and shall proceed to recover the amount specified in the certificate as arrears of land revenue.

6. Remittance of amount.

- The amount realised, as referred to in Bye-laws No. 5 by the Collector shall be sent to the Development Authority as soon as possible within one month from the date of recovery in the manner as may be requested by the Development Authority.

7. Seizure of live stock.

- In case any live-stock is seized by the Collector, in the recovery of dues of arrears of betterment charge as arrears of land revenue, they shall be admitted to the nearest cattle-pound and the expenses incurred for feeding the live- stock shall be in addition to other expenses and shall be recovered from the ' assessee along with the arrears of betterment charge. .Form 'A'(Bye Laws No. 3).....Development AuthorityNo.Date 19NOTICE(Under Section 38 of the U.P. Urban Planning

and Development Act, 1973) To, Sri..... Son of Sri..... residing at..... Take notice that your land/building/shop/premises detailed in the margin, has been subject to betterment charges under Section 3 of the U.P. Urban Planning and Development Act, 1973 and a sum of Rs..... has been levied as betterment charges on your aforementioned property. You are therefore, required to pay the aforesaid entire amount of Rs..... in the office of the aforesaid Development Authority in the following six equal bi-monthly instalments, beginning from two months of the date of issue of this notice.

Amount (Rs.) Due Date Remarks

1 installment

2 installments

3 installments

4 installments

5 installments

3 installments _____

Total amount _____

A rebate of 10 per cent shall be given on payment of the entire amount of the betterment charge at once in the beginning or on the balance due at the time payment. On failure of payment of any instalment the whole amount of the betterment charge shall become payable at once and shall be recovered as arrears of land revenue. Issued under my signatures and seal on this..... day of..... 19..... Signature with seat and designation. Form 'B' (Bye-law No. 4)..... Development Authority Date 19..... No. The Collector. Certificate [Under sub-section (2) of Section 38 of the U.P. Urban Planning and Development Act, 1973 read with Bye-laws No. 4) Certificate that the sum of Rs..... specified at serial No. 2-below is due from the person/persons specified at serial No. 1 below on account of betterment charge. The aforesaid persons ordinarily reside and own movable/immovable properties in the district. You are, therefore, requested to recover from the aforesaid persons the said amount (along with expenses on recovery) as arrears of land revenue and to remit the dues regarding the betterment charge as soon as possible within one month from the date of recovery in the manner already requested by the Development Authority in the manner mentioned hereinafter. Details of claim

1. Name parentage and permanent address of person or persons against whom the recovery on account of betterment charge is due to be made.

2. Amount of the betterment charge to be recovered from each of the person/persons mentioned at serial No. 1.

3. Date when the said amount fell due.

Dated..... Signature with seal