

Rajasthan Urban Improvement (Sealing of Unauthorised improvement) Rules, 2011

RAJASTHAN

India

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Rule

RAJASTHAN-URBAN-IMPROVEMENT-SEALING-OF-UNAUTHORISED- of 2011

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Rajasthan Urban Improvement (Sealing of Unauthorised improvement) Rules, 2011Published vide Notification No. F. 3(1633) /UDI/3/2010, dated. 4.4.2011Last Updated 16th May, 2019Notification No. F. 3(1633) /UDI/3/2010. - In exercise of the powers conferred by section 74 read with section 90-A of the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959), the State Government hereby makes the following rules and orders with reference to proviso to sub-section (2) of section 74 of the said Act that the previous publication of these rules is dispensed with, as the State Government considers that, in the public interest, they should be brought into force at once, namely:-

1. Short title and commencement.

(1)These rules may be called the Rajasthan Urban Improvement (Sealing of Unauthorised Improvement) Rules, 2011.(2)They shall come into force at once.

2. Definitions.

(1)In these rules, unless the context otherwise requires, -(i)"Act" means the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959);(ii)"Section" means section of the Act; and(iii)"Trust" means Improvement Trust established under section 8 of the Act.(2)Word or expression used but not defined in these rules shall have the same meaning as assigned to them in the Act.

3. Order of sealing.

(1)The Trust, may pass an order in writing for sealing of unauthorized improvement under section 90-A and such order shall be served in the manner provided under section 80.(2)The order passed under sub-rule (1) shall contain the following: -(i)necessity, justification and reasons of sealing of un-authorized improvement and(ii)nature, extent and gravity of un-authorized improvement.

4. Scaling of unauthorized improvement.

- The sealing under sub-section (1) of section 90-A shall be made in the following manner, namely:
-(i)by affixing the office seal on outer door or opening of the improvement after all other outlets and inlets to the improvement have been properly bolted, locked or encircled with rope, wire or wire mesh.(ii)where door s and windows have not been fixed to the improvement or where the improvement is of such a nature that it cannot be encircled with rope, wire or wire mesh, in that case such improvement shall be covered by wooden planks, iron or cernent sheets and office seal affixed in a manner that no person can enter into or upon the improvement without tempering the office seal.(iii)where any improvement is found locked, the lock may be broken open or any door, gate or any other barrier caused to be opened and inventory of the articles found in the premises shall be prepared in the presence of the owner or occupant or his representative and if the owner or occupant or his representative is not present at the site then inventory shall be prepared in the presence of the two independent witnesses.(iv)before sealing of un-authorized improvement the person in occupation or owner of the improvement may be allowed to remove valuables or necessary articles required for livelihood from the premises to be sealed.