

The Punjab Slum Areas (Improvement and Clearance) Rules, 1962

HARYANA

India

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Rule

THE-PUNJAB-SLUM-AREAS-IMPROVEMENT-AND-CLEARANCE-RULE of 1962

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The Punjab Slum Areas (Improvement and Clearance) Rules, 1962Published vide Punjab Government Notification No. G.S.R. 63/P.A. 24/61/Section 40/62, dated the 25th April, 1962

1. Short title.

- These Rules may be called the Punjab Slum Areas (Improvement and Clearance) Rules, 1962.

2. Definitions.

- In these rules, unless the context otherwise requires, -(a)'Act' means the Punjab Slum Areas (Improvement and Clearance) Act, 1961;(b)'Form' means a Form appended to these rules.

3. Form of notices.

- Notices issued under the Act shall be in the appropriate Form appended to these rules.

4. Authentication of notices.

- Every notice issued by the competent authority under the Act shall be signed either by the competent authority or an officer authorised in this behalf by the competent authority and a notice shall be deemed to be properly signed if it bears a facsimile of the signature of that authority of officer.

5. Authentication of orders and other instruments.

- All order and other instruments made by the competent authority under the Act shall be authenticated by the signature of the competent authority or of an officer duly authorised in this behalf by the competent authority.

6. Plans for re-development.

- Every plan for the re-development of any slum areas shall include the following, namely
-(a)description of the properties proposed for acquisition;(b)description of the properties which may fit in the re-development plan either in their present form or after carrying out certain additions, alterations or improvements to be made;(c)roads, open spaces and site or sites for schools, hospitals, shopping centres, community centers, [parks, places of worship] [Inserted by Haryana Notification No. G.S.R.68/P.A.24/61/Section 40/88, dated 16.9.1988.], maternity and child welfare centres and similar amenities;(d)any other matter which is deemed necessary for the proper development of the area.

7. Applications under section 19.

- The following procedure shall be adopted in dealing with applications made under section 19(2) of the Act :-(1)Every application for permission under section 19 shall be made in Form G.(2)There shall be paid a fee of rupees ten in respect of every application referred to in sub-rule (1);(3)Every such application shall be accompanied by a copy of the decree or order and judgment, if any;(4)On receipt of such application, the competent authority shall cause a notice fixing a date of hearing to be issued to the tenant giving him an opportunity of making his objections to such application. On such date, or such other date to which the hearing may be adjourned, the competent authority shall hear the parties and their witnesses, if any, and make such enquiry into the circumstances of the case as it thinks fit [and communicate the same to the affected parties] [Inserted by Haryana Notification No. G.S.R.68/P.A.24/61/Section 40/88, dated 16.9.1988.];(5)If either of the parties is absent on any date of hearing, the competent authority may proceed in his absence and after hearing the party present pass such order as it thinks fit.

8. Time limit for filing appeals.

- Every appeal under section 20 of the Act shall be filed within a period of thirty days of the date of communication of the order of the competent authority. Any appeal preferred after the said period shall be dismissed.[Provided that the appellate authority may condone the delay for not filing the appeal in time if it is satisfied that there are sufficient reasons for not so doing.] [Inserted by Haryana Notification No. G.S.R.68/P.A.24/61/Section 40/88, dated 16.9.1988.]Form "A"(See rule 3)Notice under section 4(1) of the Punjab Slum Areas (Improvement and Clearance) Act, 1961To_____Whereas I,

_____, the competent authority, am satisfied upon report from
_____/other information in my possession, that the building(s)

_____ in * _____ declared to be a "slum area" under section 3(1) of the Punjab Slum Areas (Improvement and Clearance) Act, 1961, is/are unfit for human habitation in the following respects : (1)(2)(3)(4) Now, therefore, in pursuance of the powers conferred upon me under section 4(1) of the said Act, I hereby require you, owner(s) of the building to execute the works of improvement mentioned in the schedule below within thirty days of the receipt of this notice, as in my opinion these works will render the building(s) fit for human habitation. In case you fail to comply with this notice, I shall get these works executed under section 5 of the Act and all expenses so incurred together with interest at the rate of six per cent, per annum from the date of demand shall be recovered from you as arrears of land revenue. Competent Authority

Schedule

Note. - The items not required should be struck out. *(Specify the area). Form "B" (See Rule 3) Notice under Section 7(1) of the Slum Areas (Improvement and Clearance) Act, 1961 To _____ Whereas I, _____, the competent authority, am satisfied upon report from _____/other information in my possession, that the building (s) _____ in _____ declared to be a 'Slum Area' under section 3(1) of the Punjab Slum Areas (Improvement and Clearance) Act, 1961, is/are unfit for human habitation and is/are not capable at a reasonable expense of being rendered so fit. Now, therefore, in pursuance of the powers conferred upon me under section 7(1) of the said Act, I hereby call upon you, an owner, lessee or mortgagee, or any other person having an interest in the building(s) to show cause within 15 days of the receipt of this notice as to why an order for demolition of the building(s) should not be made. Competent Authority Note. - The items not required should be struck out. Form "C" (See Rule 3) Notice under the proviso to section 12(1) of the Punjab Slum Areas (Improvement and Clearance) Act, 1961 To _____ Whereas on representation from the Competent Authority under the Punjab Slum Areas (Improvement and Clearance) Act, 1961, it appears to the State Government that in order to enable the authority to execute work(s) of improvement in relation to 1 _____ in 2 _____ declared to be a slum area/to redevelop _____ declared to be a Clearance Area, it is necessary that the land(s) specified in the schedule below and adjoining/surrounded by such area should be acquired. You _____ as owner/any other person interested in the said land(s) are hereby called upon to show cause within 15 days of the receipt of this notice as to why it should not be acquired. You may address your objections, if any, to the Secretary to Government, Punjab, Housing Department, Chandigarh.

Schedule 2

Secretary to Government, Punjab, Housing Department Note. - The item not required should be struck out.

1.

(Specify building).

2.

(Specify slum area)Form "D"(See Rule 3)Notice under section 27 of Punjab Slum Areas (Improvement and Clearance) Act, 1961To _____ You are hereby given notice under section 27 of the Punjab Slum Areas (Improvement and Clearance) Act, 1961, that I _____, being duly authorised in this behalf by the competent authority, propose to enter with/without assistants and workman, the building/land _____ under your occupation/ownership at _____ on _____ for the purpose of _____.Signature of OfficerNote. - The items not required should be struck out.

Form "E"(See Rule 3)Notice under section 29 of the Punjab Slum Areas (Improvement and Clearance) Act, 1961To _____ Whereas you are carrying on the trade of _____, a dangerous or offensive trade in 1 _____ an area declared to be "Slum Area" under section 3(1) of the Punjab Slum Areas (Improvement and Clearance) Act, 1961, I _____, the Competent Authority, hereby call upon you under section 29 of the said Act to show cause within fifteen days of the receipt of this notice as to why an order directing you to remove the said trade from the said area should not be made.

1.

(Specify the area)Form "F"(See Rule 3)Notice under section 33 of the Punjab Slum Areas (Improvement and Clearance) Act, 1961To _____ Whereas you have commenced/are carrying out/have completed the erection of a building consisting of _____ in contravention of the restriction or condition imposed under section 10(7) of the Punjab Slum Areas (Improvement and Clearance) Act, 1961, or the Plan for the development of any clearance area of the notice/order/direction issued/given under the said Act.You are hereby informed that you may appear before the undersigned at _____ on _____ in this office and make your objection or representation, if any.

Competent AuthorityNote. - The items not required should be struck out.

Form "G"(See Rule 3)Application under section 19 of the Punjab Slum Areas (Improvement and Clearance) Act, 1961, for permission to evict a tenant under a decree or orderToThe Competent AuthoritySlum Areas _____ Dear Sir,I/We having obtained a decree or order for the eviction _____ from _____ hereby apply for permission to execute such decree or order.

2. Copies of decree or order and judgment, are enclosed.

**3. The prescribed fee of rupees ten has been paid, _____ vide
Receipt No. _____, dated _____**

4. The special grounds on which this permission is sought are -

(i) _____ (ii) _____ Address : _____ Dated

Yours faithfully, [Signature of applicant(s)]