

(f) any land which provides access to any municipal water work under section 191;

(g) any premises which are suspected to have been used for any trade or keeping any article in contravention of section 376;

(h) any premises for the use of which a licence is required and has been granted under the provisions of this Act;

(i) any building during its erection or any work during its execution;

(j) any premises which are provided by the Corporation for the residence of municipal officers and servants.

Time of making entry.

388. (1) No such entry shall be made within sunset and sunrise:

Provided that in any case in which it has been expressly provided by or under this Act such entry may be made by day or night.

(2) Except as otherwise expressly provided by or under this Act, no building used as a human dwelling shall be entered unless with the consent of the occupier thereof without giving him at least six hours' notice in writing of the intended entry and, except when it is deemed inexpedient to mention the purpose thereof, of such purpose.

(3) When such premises may otherwise be entered without notice, sufficient notice shall be given in every instance to enable the inmates of any apartment appropriated to females to remove themselves.

(4) Due regard shall always be had, so far as may be compatible with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the premises entered.

(5) No claim shall lie against any person for compensation for any damage necessarily caused by an entry under sub-section (7) of section 376 or by the use of any force necessary for effecting such entry.

Power of Commissioner to evict persons summarily in certain cases.

¹[**388A.**(1) Where the Commissioner is required by section 284A, 301 or 304 to cause building or part thereof to be vacated, he may take or cause to be taken such steps and use or cause to be used such force as may in the opinion of the Commissioner be reasonably necessary therefor.

(2) The Commissioner may, after giving 15 clear day' notice to the persons evicted under sub-section (1), remove or cause to be removed or dispose of by public auction any property remaining in such building.

(3) Where property is sold under sub-section (2) the sale proceeds shall, after deducting the expenses of sale, be paid to such person or persons as may appear to the Commissioner to be entitled to the same.]

CHAPTER XXIV.

COMPENSATION.

Doing minimum damage in certain cases.

389. (1) In the exercise of the powers under the following provisions of this Act by the Commissioner or any other Municipal officer or servant or any other person authorised by or under this Act to execute any work, as little damage as can be shall be done and compensation assessed in the manner prescribed by or under this Act shall be paid to any person who sustains damage in consequence of the exercise of such powers, namely:—

(a) carrying any municipal drain through, across or under any street or any place laid out as or intended for a street or across any cellar or vault under any street under sub-section (1) of section 155;

(b) entering upon and constructing any new drain or repairing or altering any municipal drain already constructed under sub-section (2) of section 155;

1. Section 388A was inserted by Guj. 19 of 1964, s. 19.