

Provided that this sub-section shall not apply to a building constructed or adapted as, or for the purposes of, a dwelling or partly for those purposes and partly for other purposes, if any part (not being a part used for other purposes) is by reason of disrepair or sanitary defects unfit for human habitation.

(4) Before submitting the order to the State Government, the Commissioner shall—

(a) publish simultaneously in the *Official Gazette* and in three or more news papers circulating within the City, a notice stating the fact of such a clearance order having been made and describing the area comprised therein and naming a place where a copy of the order and of the plan referred to therein may be seen at all reasonable hours; and

(b) serve on every person whose name appears in the Commissioner's assessment book as primarily liable for payment of property tax leviable under this Act, on any building included in the area to which the clearance order relates and, so far as it is reasonably practicable to ascertain such persons, on every mortgagee there of a notice stating the effect of the clearance order and that it is about to be submitted to the State Government for confirmation, and specifying the time within, and the manner in which, objections thereto can be made to the Commissioner.

(5) Upon compliance with the foregoing provisions with respect to the publication and service of notices of the clearance order, the Commissioner shall submit to the Standing Committee any objections received under sub-section (4) and any suggestions he may wish to make in that respect.

(6) The Standing Committee may, after consideration of any such objections and suggestions, make such modifications in respect of the order as it thinks fit, and the Commissioner shall thereafter submit the order as approved, by the Standing Committee first to the Corporation and then to the State Government for confirmation.

(7) The provisions of Schedule B to this Act shall have effect with respect to the validity and date of operation of a clearance order.

(8) When a clearance order has become operative, the owner or owners of any building to which the order applies shall demolish that building before the expiration of six weeks from the date on which the building is required by the order to be vacated or, if it is not vacated until after that date, before the expiration of six weeks from the date on which it is vacated or, in either case, before the expiration of such longer period as in the circumstances the Commissioner may deem reasonable; and if the building is not demolished before the expiration of that period the Commissioner shall take measures to demolish the building and sell the materials thereof.

(9) Any expenses incurred by the Commissioner under the foregoing sub-section, after giving credit for the amount realised by sale of the materials, shall be payable by the owner or owners of the building, and any surplus in the hands of the Commissioner, after payment of such expenses, shall be paid by the Commissioner to the owner of the building, or if there are more owners than one, shall be paid as the owners, may agree. In default of agreement between such owners, the Commissioner shall deposit the surplus amount in the District Court and the District Judge shall decide in what proportion such amount should be paid to such owners. The decision of the District Judge shall be final.

(10) When a clearance order has become operative, no land to which the order applies shall be used for building purposes, or otherwise developed, except subject to such restrictions and conditions, as may be imposed by the Commissioner and approved by the Corporation generally or specially.

(11) In the provisions of this Act relating to buildings included in an area to which a clearance order applies references to a building shall include references to a hut, tent or other temporary or moveable form of shelter which is used for human habitation and has