

¹ *[Clearance areas.

280. (1) If it shall appear to the commissioner in respect of any area in any part of the City,—

Power to declare an area to be a clearance area.

(a) that the residential buildings in that area are, by reason of disrepair or sanitary defects unfit for human habitation or are, by reason of their bad arrangement or the narrowness or bad arrangement of the streets dangerous or injurious to the health of the inhabitants of the area and that the other buildings, if any, in the area are for a like reason dangerous or injurious to the health of the said inhabitants ; and

(b) that the conditions in the area can be effectually remedied by the demolition of all the buildings in the area without making an improvement scheme;

the Commissioner may cause that area to be defined on a plan in such manner as to exclude from the area any building which is not unfit for human habitation or dangerous or injurious to health, and submit a draft clearance scheme for the approval of the Corporation. On the submission by the Commissioner of a draft clearance scheme, the Corporation shall take such scheme into consideration and may approve the same with or without such alteration as it thinks fit. It shall thereupon pass a resolution declaring the area so defined and approved by it to be a clearance area, that is to say, an area to be cleared of all buildings in accordance with the subsequent provisions of this Act. The area shall hereinafter be referred to as the clearance area and the scheme as the clearance scheme.

(2) Before any area is declared to be a clearance area, it shall be the duty of Corporation to satisfy itself as to the sufficiency of its resources and to ascertain the number of persons who are likely to be dishoused in such area and thereafter to take such measures as are practicable whether by the arrangement of their programme or otherwise so as to ensure that as little hardship as possible is inflicted on those dishoused.

(3) The Commissioner on behalf of the Corporation shall forthwith transmit to the State Government a copy of the resolution passed by it under this section.

(4) As soon as may be after the Corporation has declared any area to be a clearance area, the Commissioner shall, in accordance with the appropriate provisions hereafter contained in this Act, proceed to secure the clearance of the area in one or more of the following ways, that is to say—

(a) by ordering the demolition of the buildings in the area; or

(b) by acquiring on behalf of the Corporation land comprised in the area and undertaking or otherwise securing, the demolition of the buildings thereon.

281. (1) Where in respect of any clearance area, the Commissioner determines to order any buildings in the clearance area to be demolished, he shall, with the approval of the Corporation make and submit to the State Government for confirmation of an order (in this Act referred to as “clearance order”) ordering the demolition of each of those buildings.

Clearance orders.

(2) A clearance order shall describe by reference to a plan the area to which it applies, and shall fix by reference to the date on which it becomes operative the period, not being less than twenty-eight days from that date, within which the Commissioner requires the buildings in the area to be vacated for the purposes of demolition, and for that purpose may fix different periods as respects different buildings.

(3) There shall be excluded from the clearance order any houses or other buildings properly included in the clearance area only on the ground that by reason of their bad arrangement in relation to other buildings, or the narrowness or bad arrangement on the streets, they are dangerous or injurious to the health of the inhabitants of the area:

1. The heading and sections 280 to 284T were substituted for original sections 280 to 284 by Guj. 19 of 1964, s. 12.

* Please see section 60 of Guj. 11 of 1973.