

No. NHIII/P/72/76

Dated the 12th Oct., 1978

To

All State Govts/Union Territories.  
(Dealing with National Highways)

Subject : Control of ribbon development and removal of encroachment on National Highway

I am directed to refer to para 8 of this Ministry's circular letter of even number dated 13th Jan., 1977 on the subject mentioned above and to say that the matter has been considered further in consultation with the Ministry of Law who have advised that Public Premises (Eviction of Unauthorised Occupants) Act 1971 can also be made use of for removal of encroachment on National Highways. A copy of this Act and the Rules framed there under as published in Part II Section III-Sub Section I of Gazette extraordinary is enclosed for ready reference. The act *inter-alia* envisages appointment of Estate Officers for implementing the above, Act. It is therefore, requested that in case the State Govt. like to take recourse to the Public Premises (Eviction of Unauthorised Occupants) Act 1971 for the purpose of Eviction of Unauthorised Occupants (encroachers) from National Highways, this Ministry may be informed of the names of the Gazetted Officers of the State Public Works Department who may be appointed as Estate Officers under the Act.

Enclosures to letter No. NHIII/P/72/76

Dated 12.10.78

Registered No. D. 221

THE GAZETTE OF INDIA

EXTRAORDINARY

PART II- SECTION I

PUBLISHED BY AUTHORITY

No. 40 New Delhi, Tuesday, August 24, 1971/BHADRA 2, 1893

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 24th August, 1971/Bhadra 2, 1893 (Saka)

The following Act of Parliament received the assent of the President on the 23rd August, 1971, and is hereby published for general information :

An Act to provide for the eviction of unauthorised occupants from public premises and for certain incidental matters.

## THE PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) ACT 1971

No. 40 of 1971

(23rd August, 1971)

Be it enacted by Parliament in the Twenty-second Year of the Republic of India as follows :—

Short title, extent  
and commencement

1. (1) This Act may be called the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.
- (2) It extends to the whole of India.
- (3) It shall be deemed to have come into force on the 16th day of September, 1958 except sections 11.19 and 20 which shall come into force at once.

Definitions

2. In this Act, unless the context otherwise requires :—

- (a) "corporate authority" means :—

- (i) any Company or Corporation referred to in sub-clause (1), or
- (ii) the Corporation or any committee or the Authority referred to in sub-clause (2), of clause (e) of this section;

*THE GAZETTE OF INDIA EXTRAORDINARY (Part II)*

- (b) "estate officer" means an officer appointed as such by the Central Government under section 3;

- (c) "premises" means any land or any building or part of a building and includes :—

- (i) the garden, grounds and outhouses, if any, appertaining to such building or part of a building, and
- (ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;

- (d) "prescribed" means prescribed by rules made under this Act;

- (e) "public premises" means any premises belonging to or taken on lease or requisitioned by, or on behalf of, the Central Government, and includes :—

- (1) Any premises belonging to, or taken on lease by, or on behalf of :—

- (i) any company as defined in section 3 of the Companies Act, 1956 in which not less than fifty one per cent of the paid-up share capital is held by the Central Government; and

- (ii) any Corporation (not being a company as defined in section 3 of the Companies Act, 1956 or a local authority) established by or under a Central Act and owned or controlled by the Central Government; and

- (2) in relation to the Union territory of Delhi :—

- (i) any premises belonging to the Municipal Corporation of Delhi or any municipal committee or notified area committee, and
- (ii) any premises belonging to the Delhi Development Authority whether such premises are in the possession of or leased out by the said Authority;

- (f) "rent", in relation to any public premises, means the consideration payable periodically for the authorised occupation of the premises, and includes :—

- (i) any charge for electricity, water or any other services in connection with the occupation of the premises;

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- (ii) any tax (by whatever name called) payable in respect of the premises.

Where such charge or tax is payable by the Central Government or the corporate authority;

- (g) "unauthorised occupation", in relation to any public premises, means the occupation by any person of the public premises without authority for such occupation, and includes the continuance in occupation by any person of the public premises after the authority (whether by way of grant or any other mode of transfer) under which he was allowed to occupy the premises has expired or has been determined for any reason whatsoever.

1 of 1956

1 of 1956

Appointment of  
estate officers

3. The Central Government may, by notification in the official Gazette :—

- (a) appoint such persons, being gazetted officers of Government or officers of equivalent rank of the corporate authority, as it thinks fit, to be estate officers for the purposes of this Act; and
- (b) define the local limits within which, or the categories of public premises in respect of which, the estate officers shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under this Act.

Issue of notice  
show cause against  
order of eviction

4. (1) If the estate officer is of opinion that any persons are in unauthorised occupation of any public premises and that they should be evicted, the estate officer shall issue in the manner hereinafter provided a notice in writing to calling upon all persons concerned to show cause why an order of eviction should not be made.

(2) The notice shall :—

- (a) specify the grounds on which the order of eviction is proposed to be made; and
- (b) require all persons concerned, that is to say, all persons who are, or may be, in occupation of, or claim interest in, the public premises, to show cause, if any, against the proposed order on or before such date as is specified in the notice, being a date not earlier than ten days from the date of issue thereof.

(3) The estate officer shall cause the notice to be served by having it affixed on the outer door or some other conspicuous part of the public premises, and in such other manner as may be prescribed, whereupon the notice shall be deemed to have been duly given to all persons concerned.

(4) Where the estate officer knows or has reasons to believe that any persons are in occupation of the public premises, then, without prejudice to the provisions of sub-section (3), he shall cause a copy of the notice to be served on every such person by post or by delivering or tendering it to that person or in such other manner as may be prescribed.

Eviction of unauthorised  
occupants

5. (1) If, after considering the cause, if any, shown by any person in pursuance of a notice under section 4 and any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard, the estate officer is satisfied that the public premises are in unauthorised occupation, the estate officer may make an order of eviction, for reasons to be recorded therein, directing that the public premises shall be vacated, on such date as may be specified in the order, by all persons who may be in occupation thereof or any part thereof, and cause a copy of the order to be affixed on the outer door or some other conspicuous part of the public premises.

(2) If any person refuses or fails to comply with the order of eviction within thirty days of the date of its publication under sub-section (1), the estate officer or any other officer duly authorised by the estate officer in this behalf may evict that person from, and take possession of, the public premises and may, for that purpose, use such force as may be necessary.

Disposal of property  
left on public premises  
by unauthorised  
occupants

6. (1) Where any persons have been evicted from any public premises under section 5, the estate officer may, after giving fourteen days notice to the persons from whom possession of the public premises has been taken and after publishing the notice in at least one newspaper having circulation in the locality, remove or cause to be removed or disposed of by public auction any property remaining on such premises.

(2) Where any property is sold under sub-section (1), the sale proceeds thereof shall, after deducting the expenses of the sale and the amount, if any, due to the Central Government or the corporate authority on account of arrears of rent or damages or costs, be paid to such per-

son or persons as may appear to the estate officer to be entitled to the same;

Provided that where the estate officer is unable to decide as to the person or persons to whom the balance of the amount is payable or as to the apportionment of the same, he may refer such dispute to the civil court of competent jurisdiction and the decision of the court thereon shall be final.

Power to require  
payment of rent or  
damages in respect  
of public premises

7. (1) Where any person is in arrears of rent payable in respect of any public premises, the estate officer may, by order, require that person to pay the same within such time and in such instalments as may be specified in the order.
- (2) Where any person is, or has at any time been, in unauthorised occupation of any public premises, the estate officer may, having regard to such principles of assessment of damages as may be prescribed, assess the damages on account of the use and occupation of such premises and may, by order, require that person to pay the damages within such time and in such instalments as may be specified in the order.
- (3) No order under sub-section (1) or sub-section (2) shall be made against any person until after the issue of a notice in writing to the person calling upon him to show cause within such time as may be specified in the notice, why such order should not be made, and until his objections, if any, and any evidence he may produce in support of the same, have been considered by the estate officer.

Powers of estate  
officers  
5 of 1908

8. Any estate officer shall, for the purpose of holding any inquiry under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, when trying a suit in respect of the following matters, namely :—
  - (a) summoning and enforcing the attendance of any person and examining him on oath.
  - (b) requiring the discovery and production of documents;
  - (c) any other matter which may be prescribed.

Appeals

9. (1) An appeal shall lie from every order of the estate officer made in respect of any public premises under section 5 or section 7 to an appellate officer who shall be the district judge of the district in which the public premises are situated or such other judicial officer in that district of not less than ten years' standing as the district judge may designate in this behalf.
- (2) An appeal under sub-section (1) shall be preferred :—
  - (a) in the case of an appeal from an order under section 5, within fifteen days from the date of publication of the order under sub-section (1) of that section; and
  - (b) in the case of an appeal from an order under section 7, within fifteen days from the date on which the order is communicated to the appellant :

Provided that the appellate officer may entertain the appeal after the expiry of the said period of fifteen days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

- (3) Where an appeal is preferred from an order of the estate officer the appellate officer may stay the enforcement of that order for such period and on such conditions as he deems fit.
- (4) Every appeal under this section shall be disposed of by the appellate officer as expeditiously as possible.
- (5) The costs of any appeal under this section shall be in the discretion of the appellate officer.
- (6) For the purpose of of this section, a presidency-town shall be deemed

to be a district and the chief judge or the principal judge of the city civil court therein shall be deemed to be the district judge of the district.

**Finality of orders**

10. Save as otherwise expressly provided in this Act, every order made by an estate officer or appellate officer under this Act shall be final and shall not be called in question in any original suit, application or execution proceeding and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

**Offences and penalty**

11. (1) If any person who has been evicted from any public premises under this Act again occupies the premises without authority for such occupation, he shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both.
- (2) Any magistrate convicting a person under sub-section (1) may make an order for evicting that person summarily and he shall be liable to such eviction without prejudice to any other action that may be taken against him under this Act.

**Power to obtain information**

12. If the estate officer has reason to believe that any persons are in unauthorised occupation of any public premises, the estate officer or any other officer authorised by him in this behalf may require those persons or any other person to furnish information relating to the names and other particulars of the persons in occupation of the public premises and every person so required shall be bound to furnish the information in his possession.

**Liability of heirs and legal representatives**

13. (1) Where any person against whom any proceeding for the determination of arrears of rent or for the assessment of damages is to be or has been taken dies before the proceeding is taken or during the pendency thereof, the proceeding may be taken or, as the case may be, continued against the heirs or legal representatives of that person.
- (2) Any amount due to the Central Government or the corporate authority from any person whether by way of arrears of rent or damages or cost shall, after the death of the person, be payable by his heirs or legal representatives but their liability shall be limited to the extent of the assets of the deceased in their hands.

**Recovery of rent etc., as an arrear of land revenue**

14. If any person refuses or fails to pay the arrears of rent payable under sub-section (1) of section 7 or the damages payable under sub-section (2) of that section or the costs awarded to the Central Government or the corporate authority under sub-section (5) of section 9 or any portion of such rent, damages or costs, within the time, if any, specified therefor in the order relating thereto, the estate officer may issue a certificate for the amount due to the Collector who shall proceed to recover the same as an arrear of land revenue.

**Bar of jurisdiction**

15. No court shall have jurisdiction to entertain any suit or proceeding in respect of the eviction of any person who is in unauthorised occupation of any public premises or the recovery of the arrears of rent payable under sub-section (1) of Section 7 or the damages payable under sub-section (2) of that section or the costs awarded to the Central Government or the corporate authority under sub-section (5) of section 9 or any portion of such rent, damages or costs.

**Protection of action taken in good faith**

16. No suit, prosecution or other legal proceeding shall lie against the Central Government or the corporate authority of the appellate officer or the estate officer in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules or orders made thereunder.

**Delegation of powers**

17. The Central Government may, by notification in the official Gazette, direct

that any power exercisable by it under this Act shall, subject to such conditions, if any, as may be specified in the notification, be exercisable also by a State Government or an officer of the State Government.

**Power to make rules**

18. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely :—
- (a) the form of any notice required or authorised to be given under this Act and the manner in which it may be served;
  - (b) the holding of inquiries under this Act;
  - (c) the distribution and allocation of work to estate officers and the transfer of any proceeding pending before an estate officer to another estate officer;
  - (d) the procedure to be followed in taking possession of public premises;
  - (e) the manner in which damages for unauthorised occupation may be assessed and the principles which may be taken into account in assessing such damages;
  - (f) the manner in which appeals may be preferred and the procedure to be followed in appeals;
  - (g) any other matter which has to be or may be prescribed.
- (3) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

**32 of 1958 Repeal**

19. The Public Premises (Eviction of Unauthorised Occupants) Act, 1958 is hereby repealed.

**32 of 1958**

20. Notwithstanding any judgements, decree or validation order of any court, anything done or any action taken (including rules or orders made, notices issued, evictions ordered or effected, damages assessed, rents or damages or costs recovered and proceedings initiated) or purported to have been done or taken under the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (hereafter in this section referred to as the 1958-Act) shall be deemed to be as valid and effective as if such thing or action was done or taken under the corresponding provisions of this Act which, under sub-section (3) of section 1 shall be deemed to have come into force on the 16th day of September, 1958, and accordingly :—
- (a) no suit or other legal proceeding shall be maintained or continued in any court for the refund of any rent or damages or costs recovered under the 1958 Act where such refund has been claimed merely on the ground that the said Act has been declared to be unconstitutional and void; and
  - (b) no court shall enforce a decree or order directing the re-fund of any rent or damage or costs recovered under the 1958-Act merely on the ground that the said Act has been declared to be unconstitutional and void.

N.D.P. NAMBOODIRIPAD  
Jt. Secy.

*The Gazette of India*  
EXTRAORDINARY

PART II — SECTION 3 — SUB-SECTION (i)

PUBLISHED BY AUTHORITY

No. 228 NEW DELHI, MONDAY, DECEMBER 13, 1971/AGRAHAYANA 22, 1893

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF WORKS & HOUSING

NOTIFICATION

*New Delhi, the 25th November 1971*

G.S.R. 1883-In exercise of the powers conferred by section 18 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following rules, namely :—

1. Short title : These rules may be called the Public Premises (Eviction of Unauthorised Occupants) Rules, 71.
2. Definitions : In these rules unless the context otherwise requires :—
  - (a) "Act" means the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 71)
  - (b) "Form" means a form appended to these rules;
  - (c) All other words and expressions used hereinafter but not defined herein shall have the same meaning as respectively assigned to them in the Act.
3. Form of notices and orders — A notice or order under the Act shall be in one of the appropriate forms appended to these rules.
4. Manner of service of notices and orders :— (1) In addition to any mode of service specified in the Act, a notice issued under sub-section (i) of section 4 or sub-section (1) of section 6 or sub-section (1) or (2) of section 7 or sub-section (i) of section 13 of the Act shall be served by delivering or tendering a copy of the notice to the person for whom it is intended or to any adult member of his family, or by sending it by registered post acknowledgment due in a letter addressed to that person at his usual or last-known place of residence or business.
  - (2) Where the copy of the notice under sub-rule (1) is delivered or tendered, the signature of the person to whom the copy is so delivered or tendered should be obtained in token of acknowledgment of the service.
  - (3) In respect of a notice issued under sub-section (1) of section 4 or sub-section (1) of section 6 or sub-section (1) or (2) of section 7 or sub-section (1) of section 13 of the Act, where the person or the adult member of the family of such person refuses to sign the acknowledgment, or where such person cannot be found after using all due and reasonable diligence, and there is no adult member of the family of such person, a copy of the notice shall be affixed on the outer door or some other conspicuous part of the ordinary residence or usual place of business of such person and the original shall be returned to the estate officer who issued the notice, with a report endorsed thereon or annexed thereto stating that a copy has been so affixed, the circumstances under which it was done so and the name and address of the person, if any, by whom the ordinary residence or usual place of business was identified and in whose presence the copy was affixed.
  - (4) (i) If a notice issued under sub-section (1) of section 4 or sub-section (1) or (2) of section 7 or sub-section (1) of section 13 of the Act cannot be served in the manner provided in sub-rule (1), the estate officer may, if he thinks fit, direct that such notice shall also be published in at least one newspaper having circulation in the locality and he may also proclaim the contents of any notice in the locality by beat of drum.
5. Holding of inquiries :— (1) Where any person on whom a notice or order under this Act has been served desires to be heard through his representative, he should authorise such representative in writing.
  - (2) The estate officer shall record the summary of the evidence tendered before him. The summary of such evidence and any relevant documents filed before him shall form part of the records of the proceedings.

6. **Transfer of pending proceedings :—** (1) On the application of any person to whom a notice under the Act has been served and after hearing him, if he desires to be heard, or of its or his own motion, the Central Government or any Gazetted Officer especially authorised by the Central Government in this behalf by notification in the Official Gazette may at any stage transfer any proceeding pending before an estate officer for disposal of the same.
- (2) Where any proceeding has been transferred under sub-rule (1), estate officer who thereafter is in charge of such proceeding may, subject to any special directions in the order of transfer, either re-start it or proceed from the point at which was transferred.
7. **Manner of taking possession of Public Premises :—** (1) If any obstruction is offered, or is in the opinion of the estate officer likely to be offered, to the taking possession of any public premises under the Act, the estate officer or any other officer duly authorised by him in this behalf may obtain necessary police assistance.
- (2) Where any public premises of which possession is to be taken under the Act is found locked, the estate officer or any other officer duly authorised by him in this behalf may either seal the premises or in the presence of two witnesses break open the locks or open or cause to be opened any door, gate or other barrier and enter the premises :
- Provided that :—**
- (1) no entry shall be made into, or possession taken of, a public premises before sunrise or after sunset;
- (2) where any public premises is forced open, an inventory of the articles found in the premises shall be taken in the presence of two witnesses.
8. **Assessment of damages :—** In assessing damages for unauthorised use and occupation of any public premises the estate officer shall take into consideration the following matters namely :—
- (a) the purpose and the period for which the public premises were in unauthorised occupation.
- (b) the nature, size and standard of the accommodation available in such premises;
- (c) the rent that would have been realised if the premises had been let on rent for the period of unauthorised occupation to a private person;
- (d) any damage done to the premises during the period of unauthorised occupation;
- (e) any other matter relevant for the purpose of assessing the damages.
9. **Procedre in appeals :—** (1) An appeal preferred under section 9 of the Act shall be in writing, shall set forth concisely the grounds of objection to the order appealed against, and shall be accompanied by a copy of such order.
- (2) On receipt of the appeal and after calling for and perusing the record of the proceedings before the estate officer, the appellate officer shall appoint a time and place for the hearing of the appeal and shall give notice thereof to the estate officer against whose orders the appeal is preferred, to the appellant and to the head of the department or authority in administrative control of the premises.
10. **Repeal :—** The Public Premises (Eviction of Unauthorised Occupants) Rules, 1958 is hereby repealed.

#### FORM 'A'

Form of notice under sub-section (1) of section 4 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Shrimati/Kumari .....

Whereas I, the undersigned, am of opinion, on the grounds specified below, that you are in unauthorised occupation of the public premises mentioned in the Schedule below and that you should be evicted from the said premises :

#### Grounds

Now, therefore, in pursuance of sub-section (1) of section 4 of the Act, I hereby call upon you to show cause on or before the \* ..... why such an order of



eviction should not be made.

Schedule

Date .....

Signature and seal of the Estate Officer

(\*This date should be a date not earlier than ten days from the date of issue of the notice).

### FORM "B"

Order under sub-section (1) of section 5 of the Public Premises  
(Eviction of Unauthorised Occupants) Act, 1971.

Whereas I, the undersigned, am satisfied for the reason recorded below that Shri/Shrimati/Kumari ..... is/are in unauthorised occupation of the public premises specified in the Schedule below.

#### Reasons

Now, therefore, in exercise of the powers conferred on me under sub-section (1) of section 5 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. I hereby order the said Shri/Shrimati/Kumari ..... and all persons who may be in occupation of the said premises or any part thereof to vacate the said premises within thirty days of the date of publication of this order. In the event of refusal or to comply with this order within the period specified above, the said Shri/Shrimati/Kumari ..... and all other persons concerned are liable to be evicted from the said premises, if need be, by the use of such force as may be necessary.

#### Schedule

Date .....

Signature and Seal of the Estate Officer

### FORM "C"

Form of notice under sub-section (1) of section 6 of the Public Premises  
(Eviction of Unauthorised Occupants) Act, 1971.

Shri/Shrimati/Kumari .....

Whereas on the ..... you were evicted from the public premises described in the Schedule below which was unauthorisedly occupied by you.

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of section 6 of the Act. I hereby give you notice that after fourteen days of the service of this notice on you, any property remaining on the said premises will be liable to be removed or disposed of by public auction. In case you desire to take possession of your property and to remove the same from the said premises, you will be permitted to do so on written authority from the undersigned provided any arrears of rent/damages/costs due from you are paid within the said period of fourteen days.

#### Schedule

Date .....

Signature and Seal of the Estate Officer

### FORM "D"

Notice under sub-section (3) of Section 7 of the Public Premises  
(Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Shrimati/Kumari .....

Whereas you are/were in occupation of the public premises described in the Schedule below :

And whereas a sum of Rs. .... being the arrears of rent from the ..... day of ..... 197 ,

upto the ..... day of ..... 197 , (both days inclusive) in respect of the said premises is due and payable by you and to the Government;

Now, therefore, in pursuance of sub-section (3) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. I hereby call upon you to show cause on or before the ..... why an order requiring you to pay the said arrears of rent should not be made.

Schedule

Date .....

Signature and Seal of the Estate Officer

### FORM "E"

Form of Order under sub-section (1) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Shrimati/Kumari .....

Whereas you are/were in occupation of the public premises described in the Schedule below;

And whereas, by a written notice dated ..... you were called upon to show cause on or before ..... why an order requiring you to pay a sum of Rs. .... being the rent payable in respect of the said premises should not be made;

And, whereas, I have considered your objection and/or the evidence produced by you;

And whereas you have not made any objections or produced any evidence before the said date;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 I hereby require you to pay the sum of Rs. .... (Rupees ..... ) as follows :—

In the case the said sum is not paid within the said period or in the said manner, it will be recovered as an arrear of land revenue.

Schedule

Date .....

Signature and Seal of the Estate Officer

### FORM "F"

Notice under sub-section (3) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Shrimati/Kumari .....

Whereas I, the undersigned, am satisfied that you are/were in unauthorised occupation of the public premises mentioned in Schedule I below :

And, whereas, in exercise of the powers conferred on me by sub-section (2) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I consider the damages amounting to Rs. .... are due for the period (s) and at the rate (s) shown in Schedule II below on account of unauthorised use and occupation of the said premises;

Now, therefore under the provisions of sub-section (3) of section 7 of the Act, I hereby call upon you to show cause on or before the ..... why an order requiring you to pay the said damages should not be made.

Schedule I

Schedule II

Date .....

Signature and Seal of the Estate Officer

**FORM "G"**

Form of order under sub-section (2) of section 7 of the Public Premises  
(Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Shrimati/Kumari .....

Whereas, I, the undersigned, am satisfied that you are/were in unauthorised occupation of the public premises mentioned in Schedule below;

And whereas by a written notice dated ..... you were called upon to show cause on or before the ..... why an order requiring you to pay damages of Rs. .... for unauthorised use and occupation of the said premises should not be made;

And whereas I have considered your objections and/or the evidence produced by you;

And whereas you have not made any objections or produced any evidence before the said date :

Now, therefore, in exercise of the powers conferred on me by sub-section (2) of section 7 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I hereby order you to pay the sum of Rs. .... assessed by me as damages on account of your unauthorised occupation of the said premises within ..... months in equal instalments of .....

In the event of your refusal or failure to pay the damages or any instalment thereof within the said period or in the manner aforesaid the amount will be recovered as an arrear of land revenue..

**Schedule**

Date .....

Signature and Seal of the Estate Officer

**FORM "H"**

Form of Order under section 12 of the Public Premises  
(Eviction of Unauthorised Occupants) Act, 1971

To

Shri/Shrimati/Kumari .....

Whereas, there are reasons to believe that certain persons are in unauthorised occupation of the Public premises described in the Schedule hereto annexed.

Now, therefore, in exercise of the powers conferred by section 12 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 read with the notification of the Estate Officer ..... hereby require you to furnish the information in the form specified in Schedule II hereto annexed on or before .....

**Schedule I**

**Schedule II**

Date .....

Signature and Seal of the Estate Officer or the Signature of the  
officer authorised by the estate officer

Note :— Failure to comply with this order is an offence under the Indian Penal Code.

**FORM "I"**

Certificate under section 14 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971  
from the Estate Officer to the Collector .....

This is to certify that the amount of Rs. .... is due to the Central Government from Shri ..... resident of ..... on account of rent/damages/costs of appeal.

In pursuance of section 14 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971, I ..... estate officer, request you to proceed to recover the same as an arrear of land revenue.

## FORM "J"

**Notice under sub-section (2) of section 13 of the Public Premises  
(Eviction of Unauthorised Occupants) Act, 1971**

To

Shri/Shrimati/Kumari .....

Whereas Shri ..... (now deceased) was in occupation/unauthorised  
occupation of the public premises described in the Schedule below;

And whereas the amount of ..... being arrears of rent/damages  
from the ..... day of ..... 197 , upto the ..... day  
of ..... 197 , in respect of the said premises had become due and payable by the said Shri .....  
..... to the Government.

And whereas you are the heir/legal representative of the deceased, Shri ..... ;

Now, therefore, in pursuance of sub-section (2) of section 13 of the Act, I hereby call upon you to  
show cause on or before the ..... why an order requiring you to pay the  
said arrears of rent/damages should not be made against you.

Schedule

Date .....

Signature and Seal of the Estate Officer

(No. F. 21011 (4)/71-Pol. IV)

B.L. CHAK, Jt. Secy.

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