

PUNJAB SLUM AREAS (IMPROVEMENT AND CLEARANCE) ACT, 1961

Pb, Act 24] SLUM AREAS (IMPROVEMENT AND CLEARANCE) ACT, 1961

12. CLEARANCE) 19M.-S*.CEWNS CHAYLWR L title, exte»t and eommencemctd. Definitions. 11 ANL•a Decleretion Lif E.}urg areas. C.IIAPTER ST.CN I HT'@OVE.MENT. Power of competent authority requLre improvement of buildings unfit .fot human habit-alion. Enforceruent Of recujriO" execution ai works Of i Inova 1. ernent.- Expense mainl.enuncc work* of improvement•- eL•., IQ recoverable fcnm occupier.4 building. Power ot' competenl authority tn order dema\ition of u•ofit human to L'•e followed where demolition order has been .KLäde. CHAPTER SLUM .m•rn Power Io dec•larc any slum area t* 1.3* clearance area. Pawer of competent to redcvclap cloarance ilrea or par: T..hetr-•r-lf- 08 LÅK0 rower of Cenl.a•al Government to acqulre land. 13. 14. .15. 16. 20. 21. 23. 24. 26. 27. 28. 31. 33. 34. 86. 3\$ 39. 40- SLUM A.H-EAS t19Gt Eb. Aot 24 AND CLEÅAkNC.C) acquire..? bv Central Gavecnmct be made availablc to the compet.ÆLt authority. Right {o rete.Eve compensation. fac deterrnation nf Apportion.ment nr eompensation. Yayene»t nt compensation or the thc En the court. af cornpcl&'l authority in relation to determi- nation ot cmnpens.sätion, etc. e.IIAPER. VT OY SLUM "OM Elactun- Tenants Sium areas noe to be evicted withou per• mission the competent aubcraly. Appeals. Chapter r..o apply eviction tenan!g Enun c.L.'& taim building3

CHAPTER IV]SC.E.LGA-WOUS. Powers LIE Puwec of inspm•tjotL. Power la ETil.ec ! adjoining and where work is iZ progre. Breaking into buildings. Entry IQ be in lime. Owner's coment. 0'dinuiLy Io be uOt.uined. Power Uf eviQ'l'on. 10 be ey.cnl.r.ed only by lhc ecnpe- tent authoril..v- Power to remove atensi'.;e dengemug trads fmr slum Service noliL.•e.- etc.. Penullies. Order of demo:-ition of buildings In certain Jurisdctinn nr Preväl111-s sanction nr the compcr..crL1 uul.hrn•ilv or officer authorised by W. for Power to de]egale- Prolectil7]i of Laken in good foilh. aul..hocil.' etc., he JJublie g•rv-anls- Act tverride Fouret lu make rules. 1961 Pb. Act Sl.tTM (IN?NOVEMV.NT 1 73 AND PUNJAB AREAS CLEAF ACT: 1961 (PL'NJ'LB Acr Nn. 24 1 gt.il) [Rcceiued the assent oj the lh•esidemr. of India an the 118th. !b-fn.y. 1.961, arm. first ptd.ltish.ed general in..fm•maricm. iTT the P uniab Gopa•nmcnr.. G azette (Extracrd.i•nctTIÖ, Leg i5trftiec Suppt.erne•nl•, o} the 10th. 4 Or etht:rwir by Punjab No. 7.5 lhc E'utliO ACT to pto•yida the Li.ad.. clearance of 5lum areas in the sr..rrtc of Fun..}a.b and for the protection o;' tewunt* in such from. BR it enacted hy t.h! T.egjslatur,2 of State of Punjab in. the -year of the Hepublie of India as follows - CETAP.TER 1. (1) This Ac.l. IJla.v be cal2rd the Funiah Slurn •Shon Areas r.ltnpr.r.ll,rc.rnent ancl Act. .Jger- and e ommenec•rneni - C•nLå *POT' a:'jeeLs arLL•i Gh..rlt-e l. C.+runrdjary). JYSf. 935-37. .4RLåS L1961 Pb. Act 2/ axo (2) It shan extend to the whale of the Territory of Chandigarh] . (3) Lt shall come into force on such data as the State Government may by notification in the Official Gazett.% appoint; and different dales may he appoint- ed for different areas

2. In l.hiR Art, unless the context otherwise re- qutres,— (a) bunding' includes any sLTlIE.•tue or erection or any part of a building as so defined kuli, does not plant OT machinery- com- prised in a building (b) scornpetcnt aul.harity' means such officer authority the 'LC.c•ntr8] Governmentl by notifi.al.ion in the Official Cav.elte. appoint as thfi campctent aut.horil.y purpose.i of this Act , (c) 'erecticm' in rah*tien to a building includes extension. alteration or reerection (d) 'work improvement' includee in to gay buildill* in a slum area execution of anv one •more of the following works. namely (i) necessayv rapait•s (iO structural alterations . arovi5ian ef light points and water tape ; c draiT1#. f' (e) latrines : •IF nr e.ncdfi Pr.ni,-t•• fLÉ.r.iiL•.IL•• 11T v.-rn-6R IC.l.alWicacEI) and Cor.mmrent Sl'hje•el'.l Ord rr, lgRR. *SuLEtit1tQ1 tot ".guge by ibid. 1981 Pb. Act 241 Annas 175 AND CLEARANCE) {vi} provision addäional ar iälproved fix- ture ot fittings (Oii) opening up or pate-ing of courtyards : (viii) removed of rubbish ; and ({.t•) any other work including the demolition of any building any part thereof which in the opinion of the competent authority is necessary for exeq•.uting af the works specified above (e) 'occupier' .includüi an owner in occupation af or or..herwim using his own land or build- ing ; (ft 'owner' includes any person who is receiüing or is entitled io receivr: lhc rent or any building ar land whether on his own account on behalf of himse]]' end others or as agent or trustee, 01' who wouh:i receive the rent. or be ani.jüed to receive it the 01' land were let to a tenant; (g) 'prescribed' means prescribed by wides made under this Act : any slum area by the demolition end re• movel of buikiings ; and CHAPTER

SLUM ARNE 3- (i) Where {he competent aL]Ü30rity upon port from any oi its DI' other information in its possession is satisfied as any erea that buildings in that area— (a) are in any rpspect un[il. for human habita- Hon, :CLau.ae (i) ahB]l deemed to hc•cn omltted by •the PU.h5•ab Heurgenj3Lticm Tap," on F nd Con. order, 176 SLUM [1961 : Pb, Act 24 (b) ace reason of dilapidation, overcrowding, faulty arrangements and design ot buildings narrovness or tBL1ltf art•ange• ment of streets, lack of ventila'ion. light nr sanitation facilities or gny combination of these factors. delrimental to Nfe:y: health or morais, may, by notification jn thc: Official Gwz.ette, deciare such area ta be a slum area. In determining wbé1héE' a buiäing is Linfit for human habitation for the purpose of this Act* regard shall be had to its condition in respect of the foljü1N• ing matters, that is to say— (c) repairs , (e) Ireedom from damp natural light and air ; drainage and sanitary conveniences facilities for storage, preparation and coak• ing of fcod and for the disposal of wasæ water Pcw.rer com- J3e4e•ht *uLEltlciEy to NQUiTQ unflt tor Yuma..r, h Obi *at-iva- and the buiEdinæ shall be deemed bc unfit as afore said if and only if it is so fal' defective in one or mote the said that it is not. reasonab]v suitable for occupation in that condition. CHAPTER Sf.un.1 4 _ (J) Mibere lthe competen.. authority upon port :from any of its officers ather inforrndt.icm in its is satisfied that ans building in a slum area is in any re.per.t unfit for human habitation, it may, unless in its opinion the building is not. capable at a 1961 Pb. Act 241 sttrm (IMPROVEMENT 177 CLEAR*NCE.) reasonable expense of lki.ng rendered sÖ fit, serve up. on the owner or lthe building a notice requiring him within such time not bei ng less than thirty days as may be specified in the notice to execuic the works oå improvement specified therein and seating that in tha opinion of the authority thaec works will render the building fit for hum-nan habitation- In addition to *tying a notice under this see. tion on [he ownerh the competent authority may serve e copy the notice an any other person having an mt.ere*t in T..h* building whether as lessee, mort- gagee or otherwise. (3) In detecmining, for the purp•ces of this Act, whether a building can be rendered fit for human habitation at a reasonable cypense, regard shall he had to the estimated cost o r the works necessarw to render it so fit and the which it ie estimated' that the building will have when the works are completed

5. If a notice under section 4 requiring owner of l.bp building (!Y-mut.e works ot improve- workB Of Gn- ment is no! complied with, l.hen: after the expiration provernent of the time specified in the not.ica the competent authority rr!ay itself do works required to be dane by the notiec- (2) All ex*Etes incurred by competent auth(• rily under this seelion, together with interest, at rate as the State Government may by orde.t' fix, from the dal.e when & dernand for the expenses is made until pay- ment: may be reconcred by the competent authority from the owner of the building as arrears of land revenue : Provided that if the owner proves that he— (Q) is reeeiling the rent merely as agent or trustee for some ather person ; and (b) has nnt in his hands on behalf of that other pemon suffice{coi money to satisfy the whole demand af the authority. of worLcR elf etc., Erum the OCCIA- picn Gf Purrer SLUN ARE-AS Pb. Act 24 AND CLEARANCE) his liability shall be }imited to total e mount Df the money which he has in hand as aforesaid, (3) If the ouser OT the building is different from the person who owns the land on which the building \$iaadā and the expenses incurred by the competent authm'ity under this section ane recoverable from both these persons such expenses shall be recovered frotl) them in such proportion as may ha determined by the competent authority or by an omcer by it in this behalf

**6. Where works of improvement have been executed in to any building in a slum area in pursu-
ance of the provisions of sections 4 and 5; the expenses incurred by [he competent authority as (he case may
be, any local authority in connection with the mainle- nance of the works of improvement or the
enjoyment of amenities and convenience rendered possible by such works shall be recoverable from the
occupier or occupiers of the building as arrears of land revenue, (1) Where the competent authority upon a
report of the authority demolish from any of officers the information in relation of session is satisfied that
any building within Slum area is unfit for human habitation and is not capable at
reasonable expense of being rendered so fit, shall serve upon the owner of the building and upon any
other person having an interest in the building; whether as lessee, mortgagee or otherwise, a notice to show
cause within such time as may be specified in the notice as to why an order of demolition of the building
should not be made, (2) If any the persons upon whom a notice has been served under sub-section appears
in pursu- gence thereof before the competent authority and gives an undertaking to the effect that such person
shall within a period specified by the authority execute such works of improvement in relation to the
building as will in opinion of the authority render the building fit for human habitation, or that it shall not be**

used 196t ; AM 24] 1 79 mm CLEARANCE) for human habitation until the authority on being satisfied that it has been rendered fit for that purpose cancels the undertaking, the authority shall not make any order at demolition the building, (3) If no such undertaking as is mentioned in sub-section (2) is given or if in a case where any such undertaking has been given any work of improvement to which the undertaking is not carried out within the specified period: the building is at any time used in contravention of the terms of the undertaking, the competent authority shall forthwith make an order of demolition of the building requiring that the building shall be vacated within a period to be specified in the order not being less than thirty days from the date of the order, and that it shall be demolished within weeks after the expiration of that period: the competent authority before the demolition of the building shall arrange for an alternative accommodation for the occupier or occupiers. 8. (1) Where an order of building procedure to the order under section 7 has been made the owner of the building or any other person having an interest therein shall demolish that building within the time specified in that order: and building not demolished within that time the competent authority shall enter and demolish the building and sell the materials thereof. (2) Any expenses incurred by authority under sub-section if not satisfied out of the proceeds of sale of materials thereof shall be recoverable from the owner of the building or any other person having an interest therein as arrears of land revenue. CHAPTER II SLUM AREAS (IMPROVEMENT AND CLEARANCE) 9. (1) Where the competent authority is satisfied from any of its officers or other information that the most satisfactory method of dealing with the slum areas is the demolition of all the buildings in the area, the authority shall by an order notified in the Official Gazette declare the area to be a clearance area, that is to say, an area to be cleared of all buildings in accordance with the provisions of this Act: Provided that any building in the area which is not unfit for human habitation or dangerous or injurious to health may be excluded from the declaration if the authority considers it necessary: (2) The competent authority shall forthwith transmit to the Central Government a copy of the declaration under this section together with a statement of the number of persons who on the date specified in the statement were occupying buildings comprised in the clearance area, clearances. 10. (1) As soon as may be after the competent authority has any slum area to be clearance area, it shall make a slum clearance order in relation to that area ordering the demolition of each of the buildings specified therein and requiring each such building to be vacated within such time as may be specified in the order and submit the order to the Central Government for confirmation. (2) The Central Government may either confirm the order in toto or subject to such variations as it considers fit or reject the order. (3) If the Central Government confirms the order, the order shall become operative from the date of such confirmation. (4) When a slum clearance order has become operative, the owners of buildings to which the order applies shall vacate the buildings before the expiration of six weeks from the date on which buildings are required to be vacated: and if they do not do so, the competent authority may demolish the buildings and sell the materials thereof. (5) Any expenses incurred by the competent authority in demolishing any building shall, if not satisfied out of the proceeds of sale of materials thereof, be recoverable by the competent authority as arrears of land revenue. (6) Where a slum clearance order has become operative, no land to which the order applies shall be except in accordance with plans approved by the competent authority and except subject to such restrictions and conditions, if as the authority may think fit to impose: Provided that an owner who is aggrieved by any restriction or condition so imposed or by a subsequent refusal of the competent authority to cancel or modify any such restriction or condition may at any time appeal to the Government, and the Government shall make such order in the matter as it thinks proper and its decision shall be final. No person shall commence or cause to be commenced any work in contravention of a plan approved or a condition imposed under sub-section 11. Where land has been cleared of buildings in accordance with a slum clearance order, the competent authority may, at any time after the expiration of twelve months from the date on which the order, or any part thereof, came into operation, determine whether to develop any land on the date of the making of the order which has not been, or is not in the process of being, developed by the owner thereof in accordance

with plans approved by the authority and any restrictions and conditions imposed under sub-section (7) of section 10. CH. AP. R. V ACQUISITION OF Power n! 12. (1) Whereon any representation from the competent authority, it appears to the [Central Government] that, in order to enable the authority to execute any work of improvement in relation to any building in a slum area or to redevelop clearance area, it is necessary that the land within adjoining or surrounded by any such area should be acquired. the Government may acquire the land by publishing in the Official Gazette a notice to the effect that the [Central Government] has decided to acquire the land in pursuance of this section. Provided that - publishing in the [Central Government.] may call upon the owner of, or any other person who, in the opinion of the [Central Government], may be interested in such land to show cause why it should be acquired. And after considering the cause, if shown by the owner or any other person interested in the land, the Government may pass such order as it deems fit. When a notice as aforesaid is published in the Official Gazette - the land shall, on and from the date on which the notice is published, vest absolutely in the State Government free from all encumbrances. Section 13. (1) Where any land in a slum area or to be acquired by State has been acquired under this Act, the [Central Government. Government] shall make the land available to the competent authority for the purpose of improvement or carrying out any order at demolition or for the purpose of redevelopment. Section 14. Every person having any interest in any land acquired under this Act shall be entitled to receive from the [Central Government] compensation - as provided hereafter in this Act, 15. The amount payable as compensation in respect of any land acquired under this Act shall be of an amount equal to sixty times the net average monthly income actually derived from such land during the period of five consecutive years immediately preceding the date of publication of the notice referred to in section 12. The net average monthly income referred to in sub-section (1) shall be calculated in the manner and in accordance with the principle set out in the schedule appended to this Act. (3) The competent authority shall, after holding an enquiry in the prescribed manner, determine in accordance with the provision of sub-section the net average monthly income actually derived from the land and publish a notice in the Official Gazette specifying the amount so determined and calling upon the owner of the land and every person interested in the land to intimate to it, before the date specified in the notice whether he agrees to the amount so determined and if he does not so agree, what amount he claims to be the net average monthly income actually derived from the land. (4) Any person who does not agree to the amount of the net average monthly income determined by the competent authority under sub-section (3) and claims a sum in excess of that amount may prefer an appeal to the State Government within thirty days from the date specified in the notice referred to in that sub-section. (5) On appeal the [Central Government] shall, after hearing the parties, determine the net average monthly income and its determination shall be final and shall not be questioned in any court of law. Section 16. (1) Where there is any building on the land in respect of which the net average monthly income has been determined, no separate sum shall be paid in respect of such building. Provided that where the owner of the land and the owner of the building on such land are different, the authority shall apportion the amount of compensation between the owner of the land and the owner of the building in such proportion as he considers reasonable: Provided further that the compensation in respect of the building shall not in any case exceed fifty per cent of total amount of compensation which has been determined in accordance with the provisions of this section, 16. (1) Where several persons claim to be interested in the land, the competent authority shall determine the persons who in its opinion are entitled to receive compensation and the amount payable to each of them. If any dispute arises as to the apportionment of compensation of any part thereof, or as to the persons to whom the same or any part thereof is payable, the competent authority may refer the dispute to the [Central Government] and the decision of the [Central Government] in deciding any dispute shall be final. Section 17. (1) After the amount of compensation has been determined, the competent authority shall on behalf of the [Central Government] tender payment of the compensation to the persons entitled thereto, (2) If the persons entitled to compensation do not consent to receive it or there is any dispute as to the persons entitled to compensation, the competent authority may refer the matter to the [Central Government] for its decision. Section 18. (1) The Government may, by order, make such provisions as it may think fit for the purpose of giving effect to the provisions of this Act. Section 19. (1) The Government may, by order, make such provisions as it may think fit for the purpose of giving effect to the provisions of this Act. Section 20. (1) The Government may, by order, make such provisions as it may think fit for the purpose of giving effect to the provisions of this Act. Section 21. (1) The Government may, by order, make such provisions as it may think fit for the purpose of giving effect to the provisions of this Act. Section 22. (1) The Government may, by order, make such provisions as it may think fit for the purpose of giving effect to the provisions of this Act. Section 23. (1) The Government may, by order, make such provisions as it may think fit for the purpose of giving effect to the provisions of this Act. Section 24. 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185 AND CLEFIRA-NCE) title to receive compensation as to the apportionment of it, the competent authority shall deposit the amount of the in the court of the District Judge and that court shall deal with the amount so deposited in the manner laid down in sections 32 and 39 of the Land Acquisition Act, 1894

18. The authority may, for the purposes determining the amount of compensation in relation to the acquisition of any land, require by order, any person to furnish such information in his possession as may be specified in the order. The competent authority shall, while holding inquiry under section 15, have all the powers of civil court while trying a suit under the Code of Civil Procedure, in respect of the following matters, namely — (LI.) summoning and enforcing the attendance of person and examining him on oath; requiring the discovery and production of any document; reception of evidence on affidavits; requisitioning any public record from any court or (e) issuing commissions for the examination of witnesses. CHAPTER VI PREAMBLES OF THE PUNJAB SLUM AREAS ACT, 1961 (1) Nothing contained in any other law to the time being in force, no person shall be evicted from any building who has obtained a decree or order for the eviction of a tenant from any building in a slum area shall be entitled to execute such decree or order except with the previous permission in writing of the competent authority. 86 SCUM AREAS (IMPROVEMENT AND CLEARANCE) ACT, 1961 (2) Every person desiring to obtain the permission referred to in sub-section (1) shall make an application in to the competent authority in such form and containing such particulars as may be. (3) On receipt of such application the competent authority, after giving an opportunity to the tenant of being heard and after making such preliminary inquiry into the circumstances of the case as it thinks fit, shall by order in writing either grant such permission or refuse to grant such permission. (4) Where the competent authority refuses to grant the permission it shall record a brief statement of the reasons for such refusal and furnish a copy thereof to the applicant. (5) Any person aggrieved by an order of the competent authority refusing to grant the permission referred to in sub-section (1) of section 15 may, within such time as may be prescribed, prefer an appeal to the Central Government and the decision of the Central Government shall be final.

21. Nothing in this Chapter shall apply to the execution of any decree or order under any law for the eviction of a tenant from any building in a slum area belonging to the [Central Government] or any local authority

CHAPTER VII MISCELLANEOUS. It shall be lawful for any person authorised by the authority in this behalf to enter upon any building in slum area with or without workmen in order to make any inquiry, inspection, measurement, valuation or survey, or to execute any work which is authorised by or under the Punjab Slum Areas (Improvement and Clearance) Act, 1961. (1) The competent authority may, by general or special order, authorise any person— (a) to inspect any drain, latrine, urinal, cesspool, pipe, sewer or channel in or on any building or land in a slum area, and to cause the ground to be opened for the purpose of preventing or removing any nuisance arising from the drain, latrine, pipe, sewer or channel, as the case may be; (b) to examine works under construction in slum area to take levels or to remove, test, examine, replace or read any meter. (2) If, on such inspection, the opening of the ground is found to be necessary for the prevention or removal of a nuisance, the expenses thereby incurred shall be paid by the owner or occupier of the land or building, but if it is found that no nuisance exists or but for such opening would have arisen, the mound or portion of any building drain or other work opened, injured or removed for the purpose of such inspection shall be filled in, re-instated, or made good. (3) The case may be, by the competent authority. (4) Any person authorised by the competent authority in this behalf may, with or without assistance or workmen, enter on any land within fifty yards of any work authorised by or under this Act for the purpose of depositing thereon any soil, gravel, stone or other materials or for obtaining access to such work or for any other purpose connected with the carrying on of the same. (5) The person so authorised shall, before entering on any land under sub-section (1) state the purpose thereof, and shall, if so required by the occupier, or owner, fence off so much of the land as may be required for such purpose. (6) The person so authorised shall, in exercising power conferred by this section, do as little damage as possible. (7) The Punjab Slum Areas (Improvement and Clearance) Act, 1961 (8) Compensation shall be payable by the competent authority to the owner or the occupier of such land or to

both for any such damage whether permanent or temporary. Breaking into 2S It shall be lawful for any person authorised by the competent authority in this behalf make any entry into any place, to open or cause to be any door, gate or other barrier— (c) if he considers the opening thereof necessary for the purpose such entry; and (b) if the owner or occupier is absent: or being present refuses to open such door, gate or barrier

26. No entry authorised by or under this Act, be made except between the hours of sunrise and sunset. Owner's consent 27. No building or land shall be entered without the consent of the occupier: or if there is no occupier, of the owner thereof. And no such entry shall be made without giving the said occupier or owner, as the case may be, not less than twenty-four hours, written notice of the intention to make such entry. Provided that no such notice shall be necessary if the place to be inspected is a shed for cattle or a latrine or a work under construction. Where the competent authority is satisfied that it is necessary to enter either upon a representation from the owner of a building or upon other information in its possession that the occupants of the building have not vacated it in pursuance of any notice, order or direction issued or given by the authority, the authority shall, by order, direct the eviction of the occupants from the building in such manner and within such times as may be specified in the Order. Provided that, before making any Order under this section the competent authority shall give a reasonable opportunity to the occupants of the building to show cause why they should not be evicted therefrom, Provided further that if the occupants are unable to find any alternative accommodation, the competent authority shall arrange for the alternative accommodation for the occupants before the eviction. 29, The competent authority may, in writing, direct any person carrying on any dangerous or offensive trade in a slum to remove the trade from area within such period as may be specified in the order. Provided that no order under this section shall be made unless the person carrying on the trade has afforded a reasonable opportunity of showing cause as why the order should be made. 30, (1) Except otherwise expressly provided in this Act, any person aggrieved by any notice, order or direction issued or given by the competent authority may appeal to the Government within a period of thirty days from the date of issue of such notice, order or direction. (2) Every appeal under this Act shall be made by petition in writing accompanied by a copy of the notice, order or direction appealed against. (3) On the admission of an appeal, all proceedings to enforce the notice, order or direction and all prosecutions for any contravention thereof shall be held in pending the decision of the appeal and if the notice, order or direction is set aside on appeal, disobedience thereof shall not be deemed to be an offence. (4) No appeal shall be decided under this section unless the appellant has been heard or has had a reasonable opportunity of being heard in person or through a legal practitioner. (5) The decision of the Government on appeal shall be final and shall not be questioned in any court. 190 SLUM (IMPROVEMENT AND CLEARANCE) ACT, 1961 31. Every order or direction issued under this Act shall, save as otherwise expressly provided in this Act, be served— (a) by giving or tendering the notice, order or direction, or by sending it by post to the person for whom it is intended: or (b) if such person cannot be found, by affixing the notice, order or direction on some conspicuous part of his last known place of abode or business, or by giving or tendering the notice, order or direction to some adult male member or servant of his family by causing it to be affixed on some conspicuous part of the building or land, in which it relates. (2) Where the person on whom a notice, order or direction is to be served is a minor, service upon guardian or any adult male member or servant of his family shall be deemed to be the service upon the minor. (3) Every notice, order or direction which by or under this Act is to be served as a public notice, order or direction or as order or direction which is not required to be served to any individual therein specified shall, save as otherwise expressly provided, be deemed to be sufficiently served if a copy thereof is affixed in such conspicuous part of the office of the competent authority or in such other public place during such period, or is published in such local newspaper or in such other manner, as the competent authority may direct. 32. (1) Whoever does any act in contravention of any notice, order or direction issued given under this Act shall be punishable with imprisonment for a term which may extend to three months, or with fine not exceeding one thousand rupees, or both. (2) Whoever contravenes or causes to be contravened any work in contravention of any restriction or condition imposed under sub-section (7) of section 10 or any plan for the redevelopment of a clearance area shall be punishable with imprisonment which may extend to three months, or with fine which may extend to one thousand rupees: or with both.

(3) whcxver obstructs the entry of any pet-son authorised under this Act to enter into or upon any building or lend or molests such person after such entry shall be punishable with fine which may ex- tend to one thousand rupees. (4) If the person committing an offence undec this Act is a company, every person who at the {ime tha offence was committed was in charge and Was rasponsible! 1.0- the company for the conduct of the business of the company as well as the company, shall dcomed to bc guilty of the offence and shall be liable to be proceeded against and punished accord* ingly PIM,7ided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that. the offence wae committed without his knowledge or that he exercised all due diligence to prevent the commission Of such offence- (5) Notwithstanding anything contained in subn seetlon (3) whelv: an offence under this Act has been committed by a company and it is proved •that the offence has been committed with the consent or conni- vancee or, or is attributable to any neglect on part of, any director or manager, secretary or other omcer of lhe company, such director, manegec* secretary or other officer shall also be deemed ta be guilty of that offence and shall be liable to be proceeded against and punished accordingly , the purpwe of this section— (a) "company" means a body and in, eludes a DI' other association of innriivj• duals: and 192. 11961 Pb. Aci r.i.F.ARANCF'.) (b) *'diteior! in relation to a firm means a partner in l.hn lirr. 33. V/ here the erection of any building has been of umcJi- M ovild- in commenced, or is being earried out* or hes been com- pleted, in cahtraventicm an.v !restriction or condi- eu•ef. tian imposed under sub-seel*on (7) of section 10 or a plan for {hc redevelopment of any clearance area in contravention 01' any notice, order or direction issued or given under this che competent. autho- rity may, in addition to any other remedy that may be resorted tn under this Act OT under any law. make an order directing thät such crectioa shall be de- molisll:ed by the owner thereof within such time not exceeding tweo rnotEths as mar specifled in the order, and on the failure oc the owner 1.0 enmply with the order, the competent. mav itself cause the erræetian to bc dem03iüled and the expenses of such de- me]jiliatl Shall be recoverable from the owner as land : Provided l.hai such order shall be made un- less the hag been given a reasonable of being heard. 34. court inferior to that a : [Judicial] Cauris. Magisu•ate of the first Class shan try an offence puni>ha131g under this Act. tjan Of Lhu e rmtptem+ authcx—ity nt SuLhcL 35, -No far any offence put'ighgble under this Act shall he instituted except with the previ0lis sanction of the competent authority 01' an Proleeti.•m actinn flstEI. il aul bnrisc:cl by the competent authority in thi& 36. The authority may. by T"0Ufica- lion in the Official Gazette direct that any power exam2isah1r by it under this Aet may a\so be exercis- in such cases and subject tn such conditions, if any. as mar speoitlc•d in the notification, by such ornre.e.r or local MI thorjt.v as may,' he mentioned therein

31. No suit! prosecution or other legal poeceding Ehall jic against the authority or against any I -
•Mllr.i.-lrals" hy Par. jr:h Nn. : Act AREAS (IMPROVRhauvr 193 AND person for anything which is in goad faith donc oc intended to be done under this Aet or the rules made thereunder, 38. The competent authority and any person etc., authorised by hja-. under this Aet sball be deemed to be g.e,- unt8. public set'vants the meaning of section 21, of the Indian Penal Cade. \$9, The pros.isions of this Act and the rules madeAet to thereunder shall have efect. notwithstanding anythEng I-nconsistent therewith contained in tny other '0. (1) The '[Central Government] may, by noti- r Lds- fication in the Offcial Gazette, make m.flcs to carry out the purposcs of this Act. (2) pecticulär and without preiudice to the generality of the foregoing power such rules may pro- vide for or any of the follow•ing matters, namely (a) the manner of authentication of no! Ices, order; and other instrumnts of the corn• petent authority (b) the preparation of plans for the re-develop. ment of any slum areg, and matters to bo included in such plans ; (c} the form and mannar which application foc permission under sub-section (2) of see• tion 19 shall be made end the fees to be levied in respect of such applications (d) Lhe to be followed by the com- petent authority betrjre granting or refusing to grant. permission undec section .19 ; (e} the time •w Ethin which an appeal may be preferred under section 20 (f) the officers and local authorities to whom powers may be delegated under gection 36, (g) any other matter which has to be or may be prescrltkd ; Euc the Words • •Stale by the Punjsb (Chsnrjigzrh) (Adur.tntLör, State sna Con- curt'ET}t Subiccta) Order. 2 YU. *Sul-I-aet.lan omitted by i&iü. 194 L1361 : Pb. Act 24 THE SCHEDULE {See Section PRINCIPLES FOP. OF AVERAGE MONTi1LY INCOME l. 'Lhe cornpetent auf.ham:y shall first determne the gros derived uy the owner et l.hc land acquired ing uny building an such land during the of five tlye yærs referred Io jn sub•section of zection 16. For such determination the competent. authoraty rn.ey hold any inquiry and allisin, if necessary, certified copiß of extrsc±s frmrn the pjTEX•rly tax ææssrnt kooks of :nunicipul ot other local

authority concerned 'hewing rental value of such land. S. The net monthly income referred to in section 1} shall be sixty per cent-um of the average monthly gross rent, which shall be Sixty per cent of the gross rent during the five consecutive years as determined by the competent authority under paragraph 4. ROELF per centum the gross monthly rental referred to shall not be taken in determining the net average monthly income but, shall be deducted in lieu of the which the owner of the land would normally incur for payment of tax the municipal or other local authority for collection charge*, income-tax or bad as for works of repair and maintenance of the buildings, if any on the land

5. Where the owner of the land has been in receipt of any rent during the whole or any part of the period of five years, the gross rent shall be calculated on the basis of the net monthly income which the owner would have derived if the land had been leased out for rent during the said period, and for the purpose the net monthly income derived from the land during the period prior or subsequent to the period during which vacant or situate in the vicinity shall be taken into account, and

