

**THE UTTAR PRADESH PUBLIC PREMISES (EVICTION OF
CERTAIN UNAUTHORISED OCCUPANTS) ACT, 2010¹
(U.P. ACT NO. 12 OF 2010)**

ARRANGEMENT OF SECTIONS

SECTIONS

- 1- Short title
- 2- Definitions
- 3- Eviction of unauthorised occupant
- 4- Recovery of rent or damages in respect of public premises
- 5- Finality of orders
- 6- Offences and penalty
- 7- Liability of heirs and legal representatives
- 8- Recovery of rent, etc, as arrears of Land Revenue
- 9- Bar of jurisdiction
- 10- Protection of action taken in good faith
- 11- Power to make Rules

**THE UTTAR PRADESH PUBLIC PREMISES (EVICTION OF CERTAIN
UNAUTHORISED OCCUPANTS) ACT, 2010¹
(U.P. ACT NO. 12 OF 2010)**

[As passed by the Uttar Pradesh Legislature]

AN

ACT

to provide for the eviction of unauthorised occupants belonging to the Non-Government Organisation, Political Parties, Societies, Trusts, Trade Unions, Employees Associations, Outfits or Frontal Organisations of Political Parties or Non-Government Persons from the Government premises situated at Lucknow and under the administrative control of the Estate Department and for matter connected there with or incidental there to.

IT IS HEREBY enacted in the Sixty-first Year of the Republic of India as follows:-

Short title Definitions	1. This Act may be called the Uttar Pradesh public Premises (Eviction of certain Unauthorised Occupants) Act, 2010. 2. In this Act, unless the context otherwise requires,- (a) "Employees Association or anybody of persons" means an Employee Association or a body of persons whether incorporated or not; (b) "Estate Officer" means the Officer-in-charge of Estates to the Government of Uttar Pradesh; (c) "Lucknow" means the area within the jurisdiction of Lucknow Development Authority; (d) "Non-Government Organisations" means an Organisation, whether incorporate or registered or not; (e) "Non-Government Person" means any person who is not a Government Servant, or office bearer or representative of a Society, Trust or anybody of persons, whether incorporated or not; (f) "Outfit or frontal or other Organisation " means an outfit or a frontal or any other Organisation of a Political Party whether recognised or not;
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Eviction of unauthorised occupant Recovery of rent or damages in respect of public premises	(g) "Political Party " means a party not recognised by the Election Commission of India; (h) "Public Premises" means any premises belonging to or taken on lease or requisitioned by or on behalf of the State Government in Lucknow and under the administrative control of Estate Department of the Government of Uttar Pradesh; (i)"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 water or any other services or any other thing supplied in connection with the occupation of the Premises; (ii) Tax (by whatever name called) payable in respect of the Premises; (j) " Society " means a Society registered under the Societies Registration Act, 1860; (k) " Trade Union " means a Trade Union registered under the Trade Unions Act, 1926; (l) " Trust " means a Trust registered under the Indian Trusts Act, 1888; (m) " Unauthorised Occupation " means the unauthorised occupation as defined in the Uttar Pradesh Public premises (Eviction of Unauthorised occupants) Act, 1972; 3. if any Non-Government Organization, Political Party, Society, Trust, Trade Union, Employees Association or any Body of persons, Outfit or frontal or other Organization, Non-Government Person, for the use of whom an accommodation at Lucknow has been provided by the Estate Department of Uttar Pradesh, is in Occupation of an accommodation after the expiration of the period of allotment or the capacity in which was allowed to occupy such accommodation, the State government or an officer authorized by it in this behalf may by notice in writing require such person to vacate the said accommodation within 15 days, and if such person fails to vacate the said accommodation within the said period, an officer authorised by the State Government in this behalf may take possession of the accommodation and may for the purpose use such force as may be necessary in the circumstances. 4.(1) where any Non Government Organization, political Party, Society, Trust, Trade Union, Employees Association or anybody of persons, Outfit or frontal or other Organization, Non-Government person, is in arrears of rent for three months payable in respect of any public premises, any officer authorized by the State Government in this behalf may by notice require the concerned occupant to pay such arrears within the period specified in the notice and if the concerned occupant fails to pay such arrears, the premises concerned shall be deemed to be an unauthorized occupation. (2) Where any Non Government Organization, Political Party, Society, Trust,
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Finality of orders Offences and penalty Liability of heirs and legal representatives Recovery of rent, etc, as arrears of Land Revenue Bar of jurisdiction Protection of action taken in good faith	Trade Union, Employees Association or anybody of persons, outfit or frontal or other Organization, Non-Government person, is or has at any time been in unauthorized occupation of any public premises, any officer authorized in this behalf by the State Government may by notice require the Unauthorised Occupant to pay the damages for which he has been found to be responsible within the period specified in the notice. 5. Save as otherwise expressly provided in this Act, every order made by the State Government or an authorised officer under these 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. 6. (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 such person shall be liable to such eviction without prejudice to any other action that may be taken against him under this Act. 7. Any amount due to the State government from any person whether by way of arrears of rent or damages, 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 that come into their hands and have not been duly disposed of. 8. If any person refuses or fails to pay the arrears of rent payable under sub-section (1) or the damages payable under sub-section (2) of section 4 within the time, if any, specified therefor in the notice relating thereto, the Estate Officer may issue a certificate for the amount due to Collector who shall proceed to recover the same as arrears of Land Revenue. 9. No Court shall have Jurisdiction to entertain any suit or proceedings in respect of eviction of any person who is in unauthorised occupation of any Public Premises or the recovery of rent or damages. 10. No suits, prosecution or other legal proceeding shall lie against the State Government in respect of anything which is in the good faith done or intended to be done in pursuance of this Act or of any rules or orders made there under.
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Power to make Rules	(2) Every rule made under this section shall be laid as soon as may be after it is made, before each houses of Legislature While it is in session for a total period of fourteen days, which may be comprised in one session or in the successive sessions and if, during the said period 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.
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