



**The Uttar Pradesh Public Land (Eviction and Recovery of Rent and Damages)  
Amendment) Act, 1965  
Act 5 of 1965**

**Keyword(s):  
Public Land, Eviction, Rent**

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U. P. Act no. XIII of 1959

THE UTTAR PRADESH PUBLIC LAND (EVICTION AND RECOVERY OF RENT AND DAMAGES) (AMENDMENT) ACT, 1965\*

(U. P. ACT NO. V OF 1965)

[Authoritative English text of Uttar Pradesh Sarvajanik Bhoomi (Bedakhali aur Lagan tatha Hani Poorti ki Wasooli) (Sanshodhan) Adhinyam, 1955.]

AN  
ACT

U. P. Act no. XIII of 1959

to amend the Uttar Pradesh Public Land (Eviction and Recovery of Rent and Damages) Act, 1959.

IT IS HEREBY enacted in the Sixteenth Year of the Republic of India as follows :—

1. This Act may be called the Uttar Pradesh Public Land (Eviction and Recovery of Rent and Damages) (Amendment) Act, 1965.

Short title.

2. The preamble to the Uttar Pradesh Public Land (Eviction and Recovery of Rent and Damages) Act, 1959, hereinafter referred to as the principal Act, shall be *omitted*.

Omission of preamble to U. P. Act no. XIII of 1959.

3. In section 2 of the principal Act—

Amendment of section 2.

(i) after clause (a) the following new clauses shall be added :—

“(aa) “District Judge” means the District Judge of the district in which the land is situate, and includes an Additional District Judge to whom an appeal is transferred under section 10-A ;

“(aaa) “Land” means land used for any purpose whatsoever and includes forest land, and also includes trees standing thereon ;

(ii) in clause (e) the words “including forest land” shall be *omitted* ; and

(iii) the word “and” occurring at the end of clause (i) shall be *omitted*, the full-stop occurring at the end of clause (j) shall be *substituted* by a semi-colon followed by the word

[\*For Statement of Objects and Reasons, please see *Uttar Pradesh Gazette Extraordinary*, dated February 19, 1965.]

[Passed in Hindi by the Uttar Pradesh Legislative Assembly on February 17, 1965 and by the Uttar Pradesh Legislative Council on March 3, 1965.]

[†Received the Assent of the Governor on March 12, 1965 under Article 200, of the Constitution of India and was published in the *Uttar Pradesh Gazette Extraordinary*, dated March 19, 1965.]

“and”, and the following new clause shall be *inserted* there-  
after, namely :—

“(k) the reference to any enactment shall be cons-  
trued as a reference to that enactment as amended  
from time to time in its application to Uttar Pradesh,  
and in the case of the Code of Civil Procedure, 1908,  
as a reference to that Code subject also to any annul-  
ments, alterations and additions to the rules contained  
in the first Schedule thereto made from time to time  
under section 122 thereof by the High Court.”

Amendment of  
section 3.

4. In sub-section (1) of section 3 of the principal Act, *for*  
the words “for one or more public purposes of this Act, it may”  
the following shall be *substituted* :—

“for any of the following purposes, :—

- (a) planned use thereof,
- (b) afforestation, or maintenance or development of  
forests,
- (c) rehabilitation of displaced persons,
- (d) distribution thereof among landless agricultural  
labourers,
- (e) use thereof for co-operative farming, or
- (f) any other purpose connected with conservation  
of soil, development of forests, increase in food pro-  
duction, or equitable distribution of the land in such  
manner as best to subserve the common good,

it may’ .

Amendment of  
section 5.

5. In sub-section (1) of section 5 of the principal Act, *for*  
the words, brackets and figures “Any person aggrieved by an  
order of the Public Authority under sub-section (1) of section 4  
may” the following shall be *substituted* and be *deemed* always  
to have been *substituted*, namely :—

“Any party, including the State Government, aggrieved  
by an order of the Public Authority, under sub-section (1)  
of section 4—

(i) directing the public land or part thereof to be  
vacated and damages to be paid, or

(ii) refusing so to direct,—

may”.

Amendment of  
section 7.

6. In sub-section (5) of section 7 of the principal Act, *for*  
the word “person” the words and commas “party, including  
the State Government,” shall be *substituted* and be *deemed* always  
to have been *substituted*.

7. After section 10 of the principal Act, the following new section shall be added, namely :—

Addition of  
new section 10-A.

“10-A. Power of District Judge to transfer appeal—A District Judge may transfer to an Additional District Judge under his administrative control any appeal preferred to him under this Act.”

8. In section 13 of the principal Act, for the words and figures “Indian Limitation Act, 1908” the words and figures “Limitation Act, 1963” shall be substituted.

Amendment of  
section 13.

9. (1) The provisions of sections 3, 5, 6, 7 and 8 shall also apply to all proceedings pending before any court or authority at the commencement of the Uttar Pradesh Public Land (Eviction and Recovery of Rent and Damages) (Amendment) Ordinance, 1965.

Transitory  
provisions.

(2) Where before the commencement of the said Ordinance any appeal preferred by the State Government under sub-section (1) of section 5 or sub-section (5) of section 7 of the principal Act has been dismissed by any District Judge merely on the ground that the State Government had no right of appeal under the said sub-sections, the State Government may within thirty days from the commencement of the said Ordinance make an application to that District Judge or to his successor for a review of the order, and thereupon the District Judge, or any Additional District Judge to whom the case may be transferred, may review the order and make such order varying or revising the order previously made as may be necessary to give effect to the provisions of this Act.

10. (1) The Uttar Pradesh Public Land (Eviction and Recovery of Rent and Damages) (Amendment) Ordinance, 1965, is hereby repealed.

Repeal and  
saving.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had commenced on the 27th day of January, 1965.