



**The Uttar Pradesh Slum Areas (Improvement and Clearance) (Amendment)
Act, 1981**

Act 18 of 1981

Keyword(s):

Slum Area, Vacant Land, Competent Authority, Rent

Amendment appended: 23 of 1986

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Dated Lucknow, October 22, 1981

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Malin Basti Kshetra (Sudhar Aur Nipatan) (Sanshodhan) Adhiniyam, 1981 (Uttar Pradesh Adhiniyam Sankhya 18 of 1981), as passed by the Uttar Pradesh Legislature and assented to by the Governor on October 20, 1981:

THE UTTAR PRADESH SLUM AREAS (IMPROVEMENT AND CLEARANCE) (AMENDMENT) ACT, 1981

[U. P. ACT NO. 18 OF 1981]

(AS PASSED BY THE UTTAR PRADESH LEGISLATURE)

AN
ACT

to amend the Uttar Pradesh Slum Areas (Improvement and Clearance) Act, 1962.

IT IS HEREBY enacted in the Thirty-second Year of the Republic of India as follows:—

Short title and commencement.

1. (1) This Act may be called the Uttar Pradesh Slum Areas (Improvement and Clearance) (Amendment) Act, 1981.

(2) It shall be deemed to have come into force on August 14, 1981.

Amendment of section 18 of U. P. Act no. 18 of 1962.

2. In section 18 of the Uttar Pradesh Slum Areas (Improvement and Clearance) Act, 1962, hereinafter referred to as the principal Act, the following explanation shall be inserted at the end, namely:—

“Explanation—Where a house or part thereof, or vacant land is to be allotted to any person under this Act, the Competent Authority may lease out the same to the allottee for such period and on such rent and other conditions as may be prescribed.”

Repeal and savings.

3. (1) The Uttar Pradesh Slum Areas (Improvement and Clearance) (Amendment) Ordinance, 1981 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

U.P. Ordinance
13 of 1981

By order,
G. B. SINGH,
Sachiv.

Dated Lucknow, October 8, 1986

In pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Malin Basti Kshetra (Sudhar Aur Nipatan) (Saushodhan) Adhiniyam, 1986, (Uttar Pradesh Adhiniyam Sankhya 23 of 1986) as passed by the Uttar Pradesh Legislature and assented to by the President on October 7, 1986.

THE UTTAR PRADESH SLUM AREAS (IMPROVEMENT AND CLEARANCE) (AMENDMENT) ACT, 1986

[U. P. ACT NO. 23 OF 1986]

(As passed by the Uttar Pradesh Legislature)

AN
ACT

Further to amend the Uttar Pradesh Slum Areas (Improvement and Clearance) Act, 1962

It is HEREBY enacted in the Thirty-seventh Year of the Republic of India as follows :

1. (1) This Act may be called the Uttar Pradesh Slum Areas (Improvement and Clearance) (Amendment) Act, 1986.

Short title and commencement.

(2) It shall be deemed to have come into force on June 11, 1986.

2. Section 7 of the Uttar Pradesh Slum Areas (Improvement and Clearance) Act, 1962, hereinafter referred to as the principal Act, shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered the following sub-sections shall be inserted, namely :—

Amendment of section 7 of U. P. Act no. XVIII of 1962.

“(2) Where within the period of 90 days from the making of an application for permission under sub-section (1), no order is communicated, either granting or refusing the permission, the applicant may by written communication call the attention of the Competent Authority to the omission or neglect and if such omission or neglect continues for a further period of 30 days, the Competent Authority shall be deemed to have permitted such construction, extension or alteration, as the case may be.

(3) Where a new building has been constructed, or extension in an existing building has been made without the previous permission of the Competent Authority, he may notwithstanding anything to the contrary contained in any law for the time being in force, serve upon the owner of the building an order directing him to demolish such building or extension within such time not being less than one month, as may be specified in the order :

Provided that no such order shall be made unless the owner of the building has been given a reasonable opportunity to show cause why the order should not be made.

(4) Any person aggrieved by an order refusing permission, referred to in sub-section (1), or by an order under sub-section (3) may, within one month from the date of the order, prefer an appeal against the same to the State Government, whose decision shall be final.

(5) If the owner of the building fails to comply with an order for demolition made under sub-section (3) or sub-section (4), the Competent Authority may by using such minimum force as may be necessary demolish such building or extension and the costs of demolition may be recovered from the owner as arrears of land revenue."

Amendment of section 17.

3. In section 17 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely :—

"(1) (a) Where the Competent Authority, on information received or otherwise in its possession, is satisfied that acquisition of any land or building or both in a slum area or in a clearance area is necessary for the purpose of executing any work of improvement in relation to any building or land or for carrying out any order of demolition of building in that area or for the purpose of re-development of any clearance area or rehabilitation of the residents of slum areas, it may, by notification in the official Gazette, declare its intention to acquire such land or building or both.

(b) The Competent Authority shall—

(i) publish in two daily newspapers circulating in the locality, of which at least one shall be in the regional language,

(ii) cause to be affixed at convenient places in the locality.

(iii) send by registered post or otherwise, to all owners of, and other persons interested in, the land or building, whose names and addresses are known to, or can reasonably be ascertained by, the Competent Authority,

a notice to show cause within such time as may be specified in the notice, why the land or building referred in such notice may not be acquired for the purposes of this Act."

Repeal and saving.

4. (1) The Uttar Pradesh Slum Areas (Improvement and Clearance) (Amendment) Ordinance, 1986, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the principal Act, as amended by the Ordinance referred to in sub-section (1), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if the provisions of this Act were in force at all material times.

U. P.
Ordin.
no. 8
1986

By order,
S. N. SAHAY,
Sachiv.