

U.P. Avas Vikas Parishad (Allotment of Temporary Alternative Accommodation to Occupiers of Buildings in the Area of Malin Basti Sudhar aur Nipatan Yojna) Rules, 1968

[Vide Noti. No.- 2184-ka/XXXVII-16(IX)-11-66,
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In exercise of the powers under clause (n) of sub-section (2) of Section 94, read with sub-section (6) of Section 36 of the Uttar Pradesh Avas Evam Vikas Parishad Adhiniyam, 1965 (U.P. Act No. I of 1966), the Governor is pleased to make the following rules regarding the manner in which and the extent to which alternative accommodation shall be offered under sub-section (6) of Section 36 of the Act.

1. Short title and commencement.- (1) These rules may be called the U.P. Avas Evam Vikas Parishad (Allotment of Temporary Alternative Accommodation to Occupiers of Buildings in the Area of Malin Basti Sudhar aur Nipatan Yojna) Rules, 1968.

(2) They shall come into force with effect from the date of their publication in the Gazette.

2. Definition.- In these rules, unless there is anything repugnant in the subject or the context-

(i) 'Act' means the Uttar Pradesh Avas Evam Vikas Parishad Adhiniyam, 1965.

(ii) 'Prescribed Authority' means any authority appointed by the State Government by notification in the Gazette to perform all or any of functions of a Prescribed Authority under the Act.

3. (1) The Housing Commissioner shall, as far as may be, offer temporary alternative accommodation to the occupier of the building ordered to be vacated in pursuance of an order under sub-section (6) of Section 36 of the Act.

(2) Such accommodation may be in the nature of a transit camp equipped with arrangements of conservancy and drinking water facilities.

(3) The Board shall give a grant of Rs. 10 per allottee for transporting his personal effects from the building to be vacated to the temporary accommodation allotted to him.

4. (1) The allottee shall occupy the temporary alternative accommodation allotted to him within the time to be specified in the allotment order.

(2) The occupier shall give at least seven days notice to the Housing Commissioner, if and when he wished to vacate the temporary alternative accommodation after occupying it.

5. (1) The occupier shall regularly pay to the Board the rent fixed for the temporary alternative accommodation allotted to him.

(2) if any occupier does not pay the rent due from him for temporary occupation and use of alternative accommodation for a period of two months or sub-lets the whole or any part of it, or otherwise contravenes any of the terms, express or implied, regarding the occupation of such accommodation, the Prescribed Authority shall take action for eviction and recovery of rent in accordance, as far as may be, with the procedure laid down in Section 69 of the Act.

6. (1) The Housing Commissioner shall offer permanent accommodation to the occupier, of the temporary alternative accommodation on completion of the permanent site of rehabilitation; but any occupier against whom action for eviction from the temporary alternative accommodation has been taken under Rule 5(2) shall not be entitled to such permanent accommodation.

(2) The occupier shall vacate the temporary accommodation and occupy the permanent accommodation within the period specified in the allotment order, failing which he forfeit his claim for allotment of permanent accommodation.