



The Uttar Pradesh Storage Requisition (Amendment) Act, 1964
Act 26 of 1964

Keyword(s):

The Uttar Pradesh Storage Requisition Act, 1955, Food Grain or other Food Stuff, Residential Premises

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**THE UTTAR PRADESH STORAGE REQUISITION
(AMENDMENT) ACT, 1964***

[U. P. ACT No. XXVI OF 1964]

(Authoritative English Text† of the Uttar Pradesh Bhandar Adhigrahan (Sanshodhan) Adhiniyam, 1964)

AN
ACT

to amend the Uttar Pradesh Storage Requisition Act, 1955.

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

1. This Act may be called the Uttar Pradesh Storage Requisition (Amendment) Act, 1964.

Short title.

2. In section 1 of the Uttar Pradesh Storage Requisition Act, 1955 (hereinafter called the Principal Act), in sub-section (4), figure "1966" shall be substituted by figure "1971".

Amendment of section 1 of U. P. Act no. XXI of 1955.

3. In section 2 of the principal Act—

Amendment of section 2 of U. P. Act no. XXI of 1955.

(1) Clause (a) shall be substituted by the following :—

“ ‘court’ means the court of a Munsif, and, where there is no Munsif, the court of a Civil Judge, having local jurisdiction in the area in which the storage accommodation is situate ;” and

(2) Clause (d) shall be substituted by the following :—

“ ‘District Magistrate’ includes an Additional District Magistrate or any other officer or authority appointed, by notification in the Gazette, by the State Government to perform the functions of District Magistrate under this Act.”

4. In section 3 of the principal Act—

(1) in sub-section (1), the word “Collector” shall be substituted by the words “District Magistrate” and the words “foodgrains and foodstuffs” shall be substituted by the words “foodgrains or other foodstuffs”;

Amendment of section 3.

(*For Statement of Objects and Reasons, please see Uttar Pradesh Gazette Extraordinary, dated August 28, 1964.

Passed in Hindi by the Uttar Pradesh Legislative Council on September 3, 1964 and by the Uttar Pradesh Legislative Assembly on September 9, 1964.

†Received the assent of the President on October 31, 1964 under Article 201, of the Constitution of India and was published in the Uttar Pradesh Gazette Extraordinary, dated November 10, 1964.

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of
1955.

(2) the proviso to sub-section (1) shall be *substituted* by the following :—

“Provided that no accommodation which is *bona fide* used for residential purposes shall be requisitioned :

Provided further that no other accommodation which is not ordinarily used for storage shall be requisitioned without the prior sanction of the State Government which shall, before according sanction, give an opportunity to the owner and the occupier, if any, to be heard.” ; and

(3) sub-section (2) shall be *deleted*.

Addition of new section 4-A.

5. After section 4 of the principal Act, the following shall be added as a new section:—

“4-A. If the possession of the accommodation is not delivered to the District Magistrate within the period specified in the order under section 3, the District Magistrate may take possession of the accommodation and may for that purpose use such force as may be necessary”.

Amendment of section 5.

6. In section 5 of the principal Act, the word “Collector” shall be *substituted* by the words “District Magistrate” and the words “foodgrains and foodstuffs” shall be *substituted* by the words “foodgrains or other foodstuffs”.

Amendment of section 6.

7. In section 6 of the principal Act, the word “Collector” shall be *substituted* by the words “District Magistrate” and the words “foodgrains and foodstuffs” shall be *substituted* by the words “foodgrains or other foodstuffs”.

Amendment of section 7.

8. The existing section 7 of the principal Act shall be *substituted* by the following :—

“7. (1) The District Magistrate shall pay to the owner of the storage accommodation requisitioned by him such compensation as may be agreed upon in writing between him and the owner.

(2) The compensation for the requisitioning of the storage accommodation shall consist of—

(a) a recurring payment, in respect of the period of requisition of a sum equal to the rent which would have been payable for the use and occupation of the property if it had been taken on lease for that period ; and

(b) such sum, or sums, if any, as may be found necessary to compensate the owner for all or any of the following matters, namely—

(i) pecuniary loss due to requisitioning ; and

(ii) expenses on account of vacating the requisitioned premises.”

9. In section 8 of the principal Act—

Amendment of
section 8.

(i) in sub-section (1), the word "Collector" shall be *substituted* by the words "District Magistrate"; and

(ii) *for* sub-section (2) the following shall be *substituted* :—

"(2) The court in deciding the reference shall have regard to the provisions of sub-section (2) of section 7."

10. Section 9 of the principal Act along with the marginal heading shall be *substituted* by the following :—

Amendment of
section 9.

"9. (1) Any person aggrieved by an order of the court under section 8 may, within thirty days from Appeal. the date of the said order, prefer an appeal to the District Judge.

(2) The provisions of sections 5 and 12 of the Limitation Act, 1963, shall apply to an appeal under sub-section (1)."

11. In section 10 of the principal Act—

Amendment of
section 10.

(i) the word "Collector" wherever appearing, shall be *substituted* by the words "District Magistrate"; and

(ii) *after* sub-section (4) the following shall be *added* as sub-section (5) :—

"(5) When releasing a storage accommodation from requisition, the District Magistrate shall, as far as possible restore it in as good a condition as it was when possession thereof was taken subject to the changes, if any, caused by reasonable wear and tear or an irresistible force."

12. (1) Section 11 of the principal Act is repealed.

Repeal of
section 11.

(2) The provisions of section 6 of U. P. General Clauses Act, 1904, shall apply to this repeal.

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