



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

Act 18 of 1981

Keyword(s):

Slum Area, Vacant Land, Competent Authority, Rent

Amendments appended: 23 of 1986, 27 of 2021

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 (1) The Uttar Pradesh Slum Areas (Improvement and Clearance) (Amendment) Ordinance, 1981 is hereby repealed.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



सरकारी गजट, उत्तर प्रदेश

उत्तर प्रदेशीय सरकार द्वारा प्रकाशित

असाधारण

विधायी परिशिष्ट
भाग-1, खण्ड (क)
(उत्तर प्रदेश अधिनियम)

लखनऊ, मंगलवार, 24 अगस्त, 2021

भाद्रपद 2, 1943 शक सम्वत्

उत्तर प्रदेश शासन

विधायी अनुभाग-1

संख्या 812/79-वि-1-21-1-क-28-21

लखनऊ, 24 अगस्त, 2021

अधिसूचना

विविध

“भारत का संविधान” के अनुच्छेद 200 के अधीन श्री राज्यपाल ने उत्तर प्रदेश मलिन बस्ती क्षेत्र (सुधार और निपातन) (संशोधन), विधेयक, 2021 जिससे नगरीय रोजगार एवं गरीबी उन्मूलन कार्यक्रम विभाग प्रशासनिक रूप से सम्बन्धित है, पर दिनांक 24 अगस्त, 2021 को अनुमति प्रदान की और वह उत्तर प्रदेश अधिनियम संख्या 27 सन् 2021 के रूप में सर्वसाधारण की सूचनार्थ इस अधिसूचना द्वारा प्रकाशित किया जाता है।

उत्तर प्रदेश मलिन बस्ती क्षेत्र (सुधार और निपातन)

(संशोधन) अधिनियम, 2021

(उत्तर प्रदेश अधिनियम संख्या 27 सन् 2021)

[जैसा उत्तर प्रदेश विधान मण्डल द्वारा पारित हुआ]

उत्तर प्रदेश मलिन बस्ती क्षेत्र (सुधार और निपातन) अधिनियम, 1962 का अग्रतर संशोधन करने के लिये

अधिनियम

भारत गणराज्य के बहत्तरवें वर्ष में निम्नलिखित अधिनियम बनाया जाता है :-

1-(1) यह अधिनियम उत्तर प्रदेश मलिन बस्ती क्षेत्र (सुधार और निपातन) (संशोधन) अधिनियम, 2021 कहा जायेगा।

संक्षिप्त नाम
और प्रारम्भ

(2) यह गजट में प्रकाशित किये जाने के दिनांक से प्रवृत्त होगा।

उत्तर प्रदेश
अधिनियम संख्या
18 सन् 1962 में
नई धाराओं 40
और 41 का
बढ़ाया जाना

2-उत्तर प्रदेश मलिन बस्ती क्षेत्र (सुधार और निपातन) अधिनियम, 1962 की धारा 39 के पश्चात् निम्नलिखित धारायें बढ़ा दी जायेंगी, अर्थात्:-

"40-सक्षम प्राधिकारी, इस अधिनियम के सुचारु प्रशासन के लिये राज्य सरकार द्वारा समय-समय पर जारी किये जाने वाले निदेशों का नियंत्रण अनुपालन करेगा।

41-सक्षम प्राधिकारी, राज्य सरकार के पूर्व अनुमोदन से, सक्षम प्राधिकारी के विनियम बनाने की शक्ति मामलों को प्रशासित करने के लिये इस अधिनियम और तदधीन बनायी गयी नियमावली से संगत विनियम बना सकता है।"

उद्देश्य और कारण

उत्तर प्रदेश मलिन बस्ती क्षेत्र (सुधार और निपातन) अधिनियम, 1962 'मलिन' बस्ती के निवासियों के क्षेत्रों में सुधार और निपातन करने और ऐसे क्षेत्रों में किरायेदारों की बेदखली से सुरक्षा प्रदान करने के लिए अधिनियमित किया गया है। वर्ष 2011 की जनगणना के अनुसार उत्तर प्रदेश की जनसंख्या लगभग 22 करोड़ है, जिसके सापेक्ष उत्तर प्रदेश की शहरी जनसंख्या 4.45 करोड़ है; और उत्तर प्रदेश में 734 नगर निकाय हैं। राज्य की शहरी जनसंख्या उत्तरोत्तर वृद्धि कर रही है। वर्ष 2011 की जनगणना के अनुसार, उत्तर प्रदेश राज्य में नगरीय मलिन बस्ती वाले क्षेत्रों में रहने वाले लोगों की संख्या 62.39 लाख है।

मलिन बस्तियों में रहने वाले लोगों के जीवन स्तर में सुधार के लिए, राज्य सरकार उनका सर्वांगीण विकास सुनिश्चित करने के लिए उन्हें आवास, पेयजल, प्रकाश-व्यवस्था और सड़क जैसी बुनियादी आवश्यक सुविधाएं प्रदान करने का इरादा रखती है। "उत्तर प्रदेश मलिन बस्ती पुनर्विकास नीति, 2021" मलिन बस्ती निवासियों के समग्र विकास के लिए और उन्हें मुख्य धारा से जोड़ने के लिए की गई है। उक्त नीति का कार्यान्वयन सुनिश्चित करने के लिए, स्थानीय निकायों के स्तर पर गठित सक्षम प्राधिकारी पर राज्य सरकार के नियंत्रण का उपबन्ध करने और सक्षम प्राधिकारी को विनियम बनाने के लिए सशक्त करने वाले उपबन्धों को बढ़ाने के लिए पूर्वोक्त अधिनियम में संशोधन करने का विनिश्चय किया गया है।

तदनुसार, उत्तर प्रदेश मलिन बस्ती क्षेत्र (सुधार और निपातन) (संशोधन) विधेयक, 2021 पुरःस्थापित किया जाता है।

आज्ञा से,
अतुल श्रीवास्तव,
प्रमुख सचिव।

No. 812(2)/LXXIX-V-1-21-1(ka)-28-21

Dated Lucknow, August 24, 2021

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 (Sudhaar Aur Nipaatan) (Sanshodhan) Adhiniyam, 2021 (Uttar Pradesh Adhiniyam Sankhya 27 of 2021) as passed by the Uttar Pradesh Legislature and assented to by the Governor on August 24, 2021. The Nagreeya Rozgaar Evam Gareebi Unmoolan Karyakram Vidhaag is administratively concerned with the said Adhiniyam.

THE UTTAR PRADESH SLUM AREAS (IMPROVEMENT AND CLEARANCE)
(AMENDMENT) ACT, 2021

(U.P. Act no. 27 of 2021)

[As passed by the Uttar Pradesh Legislature]

AN

ACT

furth^r to amend the Uttar Pradesh Slum Areas (Improvement and Clearance)
Act, 1962

IT IS HEREBY enacted in the Seventy second 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, 2021. | Short title and Commencement |
| (2) It shall come into force on the date of its publications in the Gazette. | Commencement |
| 2. After section 39 of the Uttar Pradesh Slum Areas (Improvement And Clearance) Act, 1962, the following section shall be inserted, namely:- | Insertion of new sections 40 and 41 in U.P. Act no. 18 of 1962 |

"40. The competent authority shall carry out such directions as may be issued to it from time to time by the State Government for the efficient administration of this Act.

41. The competent authority may, with the previous approval of the State Government, make regulations, not inconsistent with this Act and the rules made thereunder, for the administration of the affairs of the competent authority."

STATEMENT OF OBJECTS AND REASONS

The Uttar Pradesh Slum Areas (Improvement and Clearance) Act, 1962 has been enacted to provide for the improvement and clearance of slum areas of their residents and protection from eviction of tenants in such areas. The population of Uttar Pradesh according to the 2011 census is about 22 crores, relative to which the urban population of Uttar Pradesh is 4.45 crores; and there are 734 municipal bodies in Uttar Pradesh. The urban population of the State is increasing progressively. According to the 2011 census, the number of people residing in the urban slum areas in the State of Uttar Pradesh is 62.39 lakhs.

To improve the standard of living of the people living in slums, the State Government intends to provide them with basic essential facilities like housing, drinking water, lighting and roads in order to ensure their all-round development. The "Uttar Pradesh Slum Redevelopment Policy, 2021" has been envisaged for the holistic development of slum dwellers, and to connect them in the mainstream. In order

to ensure due implementation of the said Policy, it has been decided to amend the aforesaid Act to insert provisions providing for State Government's control on the competent authority constituted at the level of local bodies and empowering the competent authority to make regulations in order to ensure better implementation of the said Policy.

The Uttar Pradesh Slum Areas (Improvement and Clearance) (Amendment) Bill, 2021 is introduced accordingly.

By order,
ATUL SRIVASTAVA,
Pramukh Sachiv.