

GUJARAT MUNICIPALITIES PREMISES (EVICTION) RULES, 1965

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1. Short title. :-

These rules may be called the Gujarat Municipal Premises, (Eviction) rules, 1965.

2. Definitions :-

(1) In these rules, unless the context otherwise requires.-

(a) "the Act" means the Gujarat Municipalities Act, 1963;

(b) "Form" means a form appended to these rules;

(c) "Section" means a section of the Act.

(2) Words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.

3. Form of notice. :-

(1) A notice under sub-section (1) of section 233 shall be in Form A.

(2) A notice under sub-section (2) of section 233 shall be in Form B.

(3) A notice under sub-section (1) of section 234 shall be in Form C.

(4) A notice under sub-section (2) of section 234 shall be in Form D.

(5) A notice under sub-section (3) of section 234 shall be in Form F.

4. Mode of service of notice :-

A notice whether under section 233 or sanction 234 may also be served by giving or tendering it to the person to whom it is addressed, or to some adult male member or servant of his family.

5. Entry into premises for taking possession. :-

For the purpose of taking possession of the premises under sub-section (3) of section 233, the Chief Officer or any officer or servant empowered by him in this behalf may enter the premises at any time except before sun-rise and after sun-set.

6. Assessment of damages for unauthorised use and occupation. :-

(1) In assessing damages for unauthorised use and occupation of any municipal premises, the Chief Officer shall take into consideration the following matters, namely: -

(a) the period for which the municipal premises were in unauthorised occupation;

(b) the use to which the premises had been put while in such occupation;

(c) the nature, size and standard of accommodation available on such premises;

(d) the amount of rent that would have been realised if the premises had been let on rent for the period referred to in clause (a);

(e) damage, if any caused to the premises during the said period:

(f) any other matter which, in the opinion of the Chief Officer, is relevant for the purpose of assessing damages.

(2) Before assessing the damages the Chief Officer shall give the person in unauthorised occupation an opportunity of being heard.
Office of the..... Municipality.....