

GUJARAT PANCHAYATS (Unauthorised Occupation of Panchayat Premises and Property) RULES, 1964

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GUJARAT PANCHAYATS (Unauthorised Occupation of Panchayat Premises and Property) RULES, 1964

No. KP/265/PRR. 53/6S/JH.-In exercise of the powers conferred by section 323 read with section 193B and sub-section (2) of section 319 of the Gujarat Panchayats Act, 1961 (Guj. VI of 1962), the Government of Gujarat hereby makes the following rules, namely:-

1. Short title :-

These rules may be called the Gujarat Panchayats (Unauthorised Occupation of Panchayat Premises and Property) Rules, 1964.

2. Definition :-

In these rules, unless the context otherwise requires:-

- (i) "the Act" means the Gujarat Panchayats Act, 1961;
- (ii) "panchayat" means a gram panchayat, nagar panchayat, taluka panchayat, or district panchayat, as the case may be;
- (iii) "section" means a section of the Act.

3. . :-

In assessing damages under sub-section (2) of section 193B, the panchayat shall take into account-

- (1) the period for which the premises were in unauthorised occupation of the person,
- (2) the amount of rent which would have been payable to the panchayat for the period referred to in clause (1), had the premises been let by the panchayat, and

(3) damage, if any, caused to the premises during the said period.

4. . :-

A notice under section 193B 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. . :-

The sum payable under sub.section (1) of section 319 shall be determined after giving a notice in Form 'A' to the person liable to pay the sum under the said sub-section (1) and giving him an opportunity of being heard.