

ORISSA ACT 12 OF 1989

THE ORISSA PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) AMENDMENT ACT, 1989

TABLE OF CONTENTS

PREAMBLE

SECTIONS

- 1. Short title
- 2. Amendment of Section 2
- 3. Amendment of Section 4
- 4. Amendment of Section 5
- 5. Amendment of Section 9

Short ti

Amend
of
Section

Amend
of
Section

Amend
of
Section

Amend
of
Section

ORISSA ACT 12 OF 1989

***THE ORISSA PUBLIC PREMISES (EVICTION OF
UNAUTHORISED OCCUPANTS) AMENDMENT
ACT, 1989**

[Received the assent of the Governor on the 1st June, 1989 first published in an extraordinary issue of the *Orissa Gazette*, dated the 15th July 1989].

**AN ACT FURTHER TO AMEND THE ORISSA PUBLIC PREMISES
(EVICTION OF UNAUTHORISED OCCUPANTS) ACT, 1972.**

BE it enacted by the Legislature of the State of Orissa in the Fortieth Year of the Republic of India, as follows :—

- Short title** 1. This Act may be called the Orissa Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 1989.
- Amendment of Section 2.** 2. In the Orissa Public Premises (Eviction of Unauthorised Occupants) Act, 1972 (Hereinafter referred to as the principal Act), in Section 2, for clause (a), the following clause shall be substituted, namely :—
- “(a) ‘Board’ shall mean,—
- (i) the Orissa State Electricity Board constituted under 54 of 1948 the Electricity (Supply) Act, 1948; or
- (ii) the Orissa State Housing Board constituted under 11 of 1968, the Orissa Housing Board Act, 1968;”.
- Amendment of Section 4.** 3. In the principal Act, in sub-section (2) of section 4, in clause (b), for the words “Fifteen days”, the words “Seven days” shall be substituted.
- Amendment of Section 5.** 4. In the principal Act, in sub-section (2) of Section 5,—
- (i) for the words “Forty-five days”, the words “Fifteen days” shall be substituted; and
- (ii) the proviso shall be omitted.
- Amendment of Section 9.** 5. In the principal Act, in section 9,—
- (i) for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) An appeal shall lie from every order of the Estate Officer made under section 4-A, section 5 or section 7,—

(i) in respect of any public premises situated within Cuttack and Bhubaneswar Municipal areas and owned by the General Administration Department of Government to the Director of Estates, Orissa; and

(ii) in respect of any other public premises to the Collector within whose jurisdiction such premises are situate.

(1—A) All appeals filed under this section and pending before the Revenue Divisional Commissioner prior to the date of commencement of the Orissa Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 1989 shall, on the date of such commencement, stand transferred to the Director of Estates, Orissa or, as the case may be, the Collector within whose jurisdiction such premises are situated and shall be disposed of by him in accordance with the provisions contained in this section:

Provided that an appeal against the orders of the Director of Estates passed in the capacity of an Estate Officer under this Act which is so pending before a Revenue Divisional Commissioner shall be disposed of by such Revenue Divisional Commissioner.”;

(ii) in sub-section (2), for the words “thirty days”, wherever they occur, the words “twelve days” shall be substituted.