

Rep. by Act..... 56 of 1974, S. 2 + sch. I

THE PUBLIC PREMISES (EVICTION OF UNAUTHORISED OCCUPANTS) AMENDMENT ACT, 1968

No. 32 OF 1968

[16th August, 1968]

An Act further to amend the Public Premises (Eviction of Unauthorised Occupants) Act, 1958.

BE it enacted by Parliament in the Nineteenth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 1968.

Amendment of section 2.

2. In section 2 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (hereinafter referred to as the principal Act), 32 of 1958. for clause (b), the following clause shall be substituted, namely:—

‘(b) “public premises” means any premises belonging to, or taken on lease or requisitioned by, or on behalf of, the Central Government; and includes—

(1) any premises belonging to, or taken on lease by, or on behalf of—

(i) any company as defined in section 3 of the Companies Act, 1956, in which not less than fifty-one per cent. of the paid-up share capital is held by the Central Government; and

(ii) any Corporation (not being a company as defined in section 3 of the Companies Act, 1956, or a local authority) established by or under a Central Act and owned or controlled by the Central Government; and

~~REPEALED~~

[ACT 32 OF 1968] *Public Premises (Eviction of Unauthorised Occupants) Amendment* 211

(2) in relation to the Union territory of Delhi—

(i) any premises belonging to the Municipal Corporation of Delhi or any municipal committee or notified area committee, and

(ii) any premises belonging to the Delhi Development Authority, whether such premises are in the possession of, or leased out by, the said Authority;'

3. In section 3 of the principal Act, in clause (a), for the words, brackets, letter and figure "or officers of equivalent rank of the Corporation or any Committee or the authority referred to in clause (b) of section 2", the following shall be substituted, namely:—

Amendment of section 3.

"or officers of equivalent rank of any company or Corporation referred to in paragraph (1), or of the Corporation or any Committee or the authority referred to in paragraph (2), of clause (b) of section 2".

4. After section 10D of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 10E.

"10E. No civil court shall have jurisdiction to entertain any suit or proceeding in respect of the eviction of any person who is in unauthorised occupation of any public premises or the recovery of the arrears of rent payable under sub-section (1) of section 7 or the damages payable under sub-section (2) of that section or costs awarded to the Central Government under sub-section (4A) of section 9 or any portion of such rent, damages or costs."

Bar of jurisdiction.

5. (1) The Public Premises (Eviction of Unauthorised Occupants) Amendment Ordinance, 1968, is hereby repealed.

5 of 1868. Repeal and saving.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act as if this Act had come into force on the 17th day of June, 1968.