

Property Damage Claims Tribunal

August 19, 2020

The Uttar Pradesh government has given its approval to the constitution of **property damage claims tribunals in Lucknow and Meerut to recover damage to public and private property during riots and protests.** The government has provided approval to the **constitution of the tribunal under the Uttar Pradesh Recovery of Damage to Public and Private Property Law, 2020.**

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The claim applications from Jhansi, Kanpur, Chitrakoot Dham, Lucknow, Ayodhya, Devi Patan Prayagraj, Azamgarh, Varanasi, Gorakhpur, Basti and Vindhyachal Dham divisions will be accepted in the Lucknow tribunal. Further, the Meerut tribunal will have jurisdiction over Saharanpur, Meerut, Aligarh, Moradabad, Bareilly, and Agra divisions.

After the anti-Citizenship Amendment Act (CAA) protests erupted in the state in December last year, Chief Minister Yogi had said that the cost of damages to public properties will be recovered from the protesters. The state government had promulgated an ordinance for the recovery of damages. It provided for setting up tribunals to settle the claims. Several PILs were filed in the Allahabad High Court challenging the legality of the law. The hearing in the case is still under progress.

The designated claims tribunals will be **authorised to investigate complaints and assess the damage.** The **chairperson of the claims tribunal would be a retired district judge while its members would be of the rank of additional commissioner.** The claims tribunal would have the power to attach the property of respondents and publicise their names, addresses

and photographs to warn the public against purchasing the property. The tribunal will also have all the **powers of a civil court** for the purpose of taking evidence on oath and enforcing the attendance of witnesses and compelling the discovery and production of documents and material objects.