

The Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 2019

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Source: PIB & PRS India

The Bill amends the Public Premises (Eviction of Unauthorised Occupants) Act, 1971. The Act provides for the eviction of unauthorized occupants from public premises in certain cases.

Key features of the bill

- **Residential accommodation occupation:** The Bill defines 'residential accommodation occupation' as the occupation of public premises by a person on the grant of a license for such an occupation. The license must be given for a fixed tenure, or for the period the person holds office
- **Procedure for eviction:** The Bill adds a provision laying down the procedure for eviction from residential accommodation. It requires an estate officer (an officer of the central government) to issue a written notice to a person if he is in unauthorized occupation of a residential accommodation. The notice will require the person to show the cause of why an eviction order should not be made against him, within three working days. The bill mentions that the written notice must be fixed to a conspicuous part of the accommodation, in a prescribed manner.
- **Order of eviction by estate officer:** After considering the cause shown, and making any other inquiries, the estate officer will make an order for eviction. If the person fails to comply with the order, the estate officer may evict such person from the residential accommodation, and take possession of it. For this

purpose, the estate officer may also use such force as necessary.

- Payment of damages by the person in unauthorized occupation: If the person in unauthorised occupation of the residential accommodation challenges the eviction order passed by the estate officer in court, he will be required to pay damages for every month of such occupation.

Impact:

- The amendments will facilitate smooth and speedy eviction of unauthorized occupants from Government residences, and those vacant residences will be available for allotment to eligible persons on the maturity of their turn in the waiting list.
- This will decrease the waiting time for availing the facility of residential accommodation.
- This Bill result in speedy eviction of unauthorized occupants from Government residences and increased availability of residential accommodations for eligible persons.