

Manipur



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**GOVERNMENT OF MANIPUR
SECRETARIAT : LAW & LEGISLATIVE AFFAIRS
DEPARTMENT**

NOTIFICATION

Imphal, the 28th March, 1985

No. 2/5/85-Leg/L.—The following Act of the Legislature of Manipur which received assent of the Governor on 27-3-85 is hereby published in the Manipur Gazette.

**I. BIJOY SINGH,
Secretary (Law) to the Govt. of Manipur.**

**THE MANIPUR PUBLIC PREMISES (EVICTION OF
UNAUTHORISED OCCUPANTS) (AMENDMENT)
ACT, 1985**

(Manipur Act No. 5 of 1985)

**AN
ACT**

to amend the Manipur Public Premises (Eviction of Unauthorised Occupants) Act, 1978 (Manipur Act No. 4 of 1979)

BE it enacted by the Legislature of Manipur in the Thirty-sixth Year of the Republic of India as follows :—

1. This Act may be called the Manipur Public Premises (Eviction of Unauthorised Occupants) (Amendment) Act, 1985.

Short title.

2. In sub-section (2) of section 1 of the Manipur Public Premises (Eviction of Unauthorised Occupants) Act, 1978 (hereinafter referred to as the principal Act), the full stop at the end shall be substituted by colon and, thereafter, the following proviso and explanation shall be added, namely,—

**Amendment
of section 1.**

“Provided that it shall apply at the first instance to the local areas within Imphal Municipality but the Government may, by notification in the official Gazette, apply all or any of the provisions of this Act to such other municipality, small town or other local area as may be specified in the notification.

Explanation :—In this section, “small town” means the local area declared as a “small town” under section 219 of the Manipur Municipalities Act, 1976.”

Amendment
of section 2.

3. In clause (g) of section 2 of the principal Act, the words and commas “, within a period of six years immediately before the date of commencement of this Act or at any time after such date,” shall be omitted.

Amendment
of section 3.

4. In section 3 of the principal Act,—

(a) sub-section (1) shall be re-arranged as follows, namely,—

“(1) If the competent authority, after making such inquiry as it deems fit, is satisfied that any public premises are in unauthorised occupants, it may, for reasons to be recorded in writing, make order of eviction directing that the public premises shall—

(i) in the case of buildings, within ten days from the date of the proclamation referred to in clause (b) or sub-section (2), and

(ii) in other cases, within three days from the date of such proclamation,

be vacated by all persons who may be in occupation thereof or any part thereof.”; and

(b) in clause (a) of sub-section (2), for the word, letter and brackets “clause (c)”, the word, letter and brackets “clause (b)” shall be substituted.

Amendment
of section 4.

5. The existing section 4 of the principal Act, shall be renumbered as sub-section (1) thereof and, thereafter, the following sub-section shall be added, namely,—

“(2) Whoever re-enters into or is found in unauthorised occupation of the public premises at any time after he has vacated the public premises in compliance of an order of eviction or has been evicted therefrom under sub-section (1), shall, for the purposes of that sub-section, be deemed to have refused or failed to comply with the order of eviction notwithstanding his previous compliance of such order or, as the case may be, eviction therefrom and, thereupon, he may be evicted forthwith on the basis of the same order of eviction without prejudice to any other action that may be taken against him under this Act.”.

Amendment
of section 5.

6. In sub-section (1) of section 5 of the principal Act, for the words “prescribed remove or cause to be removed such manner as may be prescribed remove or cause to be removed premises”, the following words shall be substituted, namely,—

“prescribed, remove or cause to be removed or dispose of by public auction, any property remaining on such premises.”.

7. In sub-section (5) of section 6 of the principal Act, the following words shall be added at the end before the full stop, namely,—

**Amendment
of section 6.**

“and shall not be called in question in any suit, application or execution proceeding and no injunction shall be issued by any court (not being the Supreme Court or High Court) or any authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act”.

8. After section 6 of the principal Act, the following new sections shall be added, namely,—

**Insertion of
new sections
6A and 6B.**

**‘Offences
and penalty.**

6A. (1) If any person who has been evicted from any public premises under this Act, again occupies the premises without authority for such occupation, he shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to three thousand rupees or with both.

(2) Any magistrate convicting a person under sub-section (1) may make an order for evicting that person summarily and he shall be liable to such eviction without prejudice to any other action that may be taken against him under this Act.

**Power to
obtain
information.**

6B. If the competent authority has reason to believe that any person is in unauthorised occupation of any public premises, the competent authority or any other officer authorised by him in this behalf may require that person or any other person to furnish information relating to the name and other particulars of the person in occupation of the public premises and every person so required shall be bound to furnish the information in his possession.”.

9. In section 7 of the principal Act, between the words “under” and “provided”, the word “and” shall be inserted.

**Amendment
of section 7.**

10. After section 7 of the principal Act, the following new section shall be added, namely,—

**Addition of
new section
7A.**

**“Protection
of action
taken in
good faith.**

7A. No suit, prosecution or other legal proceeding shall lie against the Government or the Revenue Commissioner or the competent authority in respect of anything which is in good faith done in pursuance of this Act or of any rules or orders made thereunder.”.

