
No. 4432(2)/XVII-V—1-156-72

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Uttar Pradesh Adhikatan Sampatti Seema (Antaran Par Asthai Nirbandhan) (Sanshodhan) Adhiniyam, 1972 (Uttar Pradesh Adhiniyam Sankhya 45 of 1972) as passed by the Uttar Pradesh Legislature and assented to by the President on December 31, 1972 :

**THE UTTAR PRADESH CEILING ON PROPERTY (TEMPORARY
RESTRICTIONS ON TRANSFER) (AMENDMENT) ACT, 1972**

[U. P. ACT NO. 45 OF 1972]

[As passed by the Uttar Pradesh Legislature]

AN

ACT

*to amend the Uttar Pradesh Ceiling on Property (Temporary Restrictions on
Transfer) Act, 1972*

IT IS HEREBY enacted in the Twenty-third Year of the Republic of India
as follows :—

Short title.

1. This Act may be called the Uttar Pradesh Ceiling on Property (Temporary Restrictions on Transfer) (Amendment) Act, 1972.

2. It is hereby declared that this Act is being made to give effect to the policy of the State towards securing the principles specified in clauses (b) and (c) of Article 39 of the Constitution. Declaration.

3. In section 3 of the Uttar Pradesh Ceiling on Property (Temporary Restrictions on Transfer) Act, 1972, hereinafter referred to as the principal Act,— Amendment of section 3 of U. P. Act 36 of 1972.

(i) in sub-section (1) —

(a) for the words and figures "During a period of three months from July 12, 1972" the words and figures "During the period from July 12, 1972 to January 31, 1973" shall be substituted ;

(b) for the words and figures "sub-sections (3) and (4)" the words and figures "sub-sections (3), (4) and (5)" shall be substituted ;

(c) the words "or agricultural land" shall be omitted ;

(ii) in sub-section (3), —

(a) clause (b) shall be omitted ;

(b) after clause (c), the following clauses shall be inserted, namely,—

"(d) any transfer of any urban property made in execution of any decree of a competent court passed in a suit instituted before July 11, 1972, or of any decree passed under section 14 of the U. P. Encumbered Estates Act, 1934 ;

(e) any mortgage of urban property in favour of a co-operative housing society, where such property is a building built or proposed to be built, or is the site of such building or proposed building, and is purchased or proposed to be purchased, wholly or partly out of a loan or advance given by that society out of funds provided by a co-operative society referred to in sub-clause (iv) of clause (c).";

(iii) after sub-section (4), the following sub-section shall be inserted, namely :—

"(5) Notwithstanding anything in this section, the Commissioner of the Division on being satisfied that the present market value of urban property held by any person along with members of his family on April 1, 1969, as well as on the date of commencement of this Act does not exceed two lakhs of rupees, may permit him to transfer the whole or part of such property.

Explanation—In this sub-section, 'family', in relation to a person, means his or her spouse and minor sons and daughters, (other than married daughters)."

4. The Uttar Pradesh Ceiling on Property (Temporary Restrictions on Transfer) (Amendment) Ordinance, 1972, is hereby repealed. Repeal of U. P. Ordinance no. 16 of 1972.

आज्ञा से,
कैलाश नाथ गोयल,
सचिव ।