



Uttarakhand Public and Private Property Damage Recovery Bill | Uttarakhand | 26 Feb 2024

Why in News?

Uttarakhand is set to bring a Bill on the lines of recovery of damages to property bills brought by Uttar Pradesh and Haryana.

Key Points

- Under this legislation, **losses to public and government properties** incurred during protests and strikes will be recovered from the **accused involved in the disturbance**.
- A [tribunal](#), headed by a retired judge, would **investigate the charges against the identified accused**, after the State's complaint.
 - The assessment and orders for damage recovery would be issued by the tribunal after detailed discussions with the affected parties, both government and otherwise.
- The decision to have a Bill to recover damages to public property came after the [violence in Haldwani](#) in Uttarakhand.
- Violence ensued after the district administration and civic body demolished a mosque and madrasa built on [nazool \(government\) land](#) in an [anti-encroachment](#) drive.

Encroachment

- It is the unauthorised use or occupation of someone else's property.
- This can **occur on abandoned or unused spaces** if the legal owner is not actively involved in its upkeep.
- It is important for property owners to be aware of the legal steps to take and their rights in such cases.
- This could include illegal construction, squatting, or any other form of occupation without proper permission or legal rights.
- Land encroachment, as **defined by Section 441 of the Indian Penal Code (IPC), 1860**, is the act of unlawfully entering someone else's property without permission to commit an offence, threaten possession of the property, or stay on the land uninvited.

Nazool land

- It is owned by the government but most often not directly administered as state property.
 - The state generally allots such land to any entity **on lease for a fixed period, generally between 15 and 99 years**.
 - In case the lease term is expiring, one can approach the authority to renew the lease by submitting a **written application to the Revenue Department** of the local development authority.
 - The government is free to either **renew the lease or cancel it** — taking back Nazool land.
 - The government generally uses Nazool land for public purposes like building schools, hospitals, Gram Panchayat buildings, etc.
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