

Education Act, 1983

Section 71 - Requisitioning of an Educational Institution

(1) Where recognition or permission granted to an educational institution is withdrawn by the State Government under sub-section (2) of section 39 or otherwise, or where an educational institution is closed before the last working day of an academic year and if the State Government consider it necessary to requisition any property movable or immovable, which before the withdrawal of the recognition or permission or the closing of the institution or of any other institution connected therewith, such as hostel for students, quarters for the residence of employees or playground, then notwithstanding anything to the contrary in any other law for the time being in force, the State Government may, within three months from the withdrawal of the recognition or permission or the closing of the educational institution, as the case may be, requisition such property and make such further orders as appears to it to be necessary or expedient in connection with the requisition.

(2) Before requisitioning any property under sub-section (1), the State Government,-

(a) shall call upon the Governing Council or any other person who is in possession of the property by notice in writing to show cause, within fifteen days of the date of the service of such notice to him why the property should not be requisitioned and shall consider the objections, if any, shown by the Governing Council or other person, and

(b) may, by order, direct that the Governing Council or any person shall not, without permission of competent authority, dispose of, structurally alter, lease or in any manner deal with, the property until the expiry of such period, not exceeding three months, as may be specified in the order.

(3) Where any property is requisitioned under sub-section (1) the Government may,-

(a) use or deal with such property for any educational purpose; or

(b) by order, permit any person or body or local authority to use or deal with such property for any such purpose, subject to the payment of such rent and other sums to the Government and the observance of such conditions as may be specified in the order.
