

AS INTRODUCED IN RAJYA SABHA

Bill No. LIX of 2013

THE DELHI RENT (REPEAL) BILL, 2013

A

BILL

to repeal the Delhi Rent Act, 1995

BE it enacted by Parliament in the Sixty-fourth Year of the Republic of India as follows:—

1. This Act may be called the Delhi Rent (Repeal) Act, 2013.
2. The Delhi Rent Act, 1995 is hereby repealed.

Short title.

Repeal of Act
33 of 1995.

STATEMENT OF OBJECTS AND REASONS

The Delhi Rent Control Act, 1958 was enacted and it was subsequently amended in 1960, 1963, 1976, 1984 and 1988. In order to bring the said law in conformity with the provisions of Model Rent Control Legislation formulated by the Central Government, the Delhi Rent Bill, 1994 was introduced in Parliament. The said Bill was passed by Parliament in 1995. Although the said Bill received the assent of the President in August, 1995, it could not be brought into force. Hence, the Delhi Rent Control Act, 1958, as amended from time to time, is still in force. The salient features of the 1958 Act are – to provide for control on rental housing market; fixation of fair or standard rent; protection of tenants against indiscriminate eviction; obligations of landlords regarding maintenance; and right of landlords for recovery of possession in specific circumstances.

2. The Delhi Rent Act, 1995 was decided to be brought into force after making further amendments therein. Accordingly, the Delhi Rent (Amendment) Bill, 1997 was introduced in Rajya Sabha incorporating the changes suggested by All-Party Committee and various representations received from the public.

3. The Delhi Rent (Amendment) Bill, 1997 was referred to the Standing Committee on Urban and Rural Development on 6th August, 1997 which could not submit its report because of dissolution of 11th Lok Sabha. The Bill could not be taken up in 12th Lok Sabha. After formation of 13th Lok Sabha, the Bill was again referred to the Standing Committee on 17th February, 2000. The Committee concluded the examination of the said Bill and submitted its report to Parliament on 21st December, 2000 and endorsed the Delhi Rent (Amendment) Bill, 1997 subject to the following changes:—

(i) the rental limit for the purpose of applicability of the Act may be increased at least to Rs. 7,500 per month;

(ii) for inheritance of tenancy of non-residential premises by dependent legal heir, the period may be increased from three years to five years;

(iii) format and procedure of rent agreement be prescribed.

However, official amendments to the Bill could not be moved till the dissolution of 14th Lok Sabha.

4. With a view to make the Rent law more comprehensive, it was decided to invite comments from public in the matter. Accordingly, notice was published in the leading newspapers. In response, the public suggested changes, *inter alia*, relating to— (i) increase in rent to be linked with inflation/price index from the date of notification of the Act; (ii) exemption limit for application of the Act for residential and non-residential premises to be kept separate and be increased; (iii) inheritance right of commercial tenancy in general and, where tenants paid “pugree” to the owners in particular, to be continued; and (iv) eviction of the tenant in case of *bona fide* requirement of the owners.

5. In a meeting of representatives of Government of National Capital Territory of Delhi and the Ministry of Urban Development held on 16th March, 2012, the Government of National Capital Territory of Delhi favoured preparation of a new draft Bill to be placed in public domain for adequate discussion in the light of later developments. Accordingly, it has been decided to repeal “the Delhi Rent Act, 1995”.

6. Accordingly, it is proposed to introduce the Delhi Rent (Repeal) Bill, 2013 to repeal the Delhi Rent Act, 1995.

7. The Bill seeks to achieve the above objects.

NEW DELHI;
The 19th August, 2013

KAMAL NATH

RAJYA SABHA

A

BILL

to repeal the Delhi Rent Act, 1995

(Shri Kamal Nath, Minister of Urban Development)