

15

**STANDING COMMITTEE ON
URBAN AND RURAL DEVELOPMENT**

(1999-2000)

THIRTEENTH LOK SABHA

THE DELHI RENT (AMENDMENT) BILL, 1997

FIFTEENTH REPORT



**LOK SABHA SECRETARIAT
NEW DELHI**

COMMITTEE ON URBAN AND RURAL DEVELOPMENT

Corrigenda to the 15th Report (13th Lok Sabha)
on the Delhi Rent (Amendment) Bill, 1997

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CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE	(iii)
INTRODUCTION	(v)
PART I	
Background of the Delhi Rent (Amendment) Bill, 1997	1
PART II	
Analysis of the Delhi Rent (Amendment) Bill, 1997	4
PART III	
APPENDICES	
I. The Delhi Rent (Amendment) Bill, 1997, as introduced in Rajya Sabha	12
II. Table showing impact of enhancement of rent as per Schedule I of the amending Bill	34
III. Statement showing the recommendations contained in the 13th Report (10th Lok Sabha) of Committee on Urban and Rural Development and those accepted and incorporated in the Delhi Rent (Amendment) Bill, 1997	35
IV. The comments of the Ministry of Law, Justice and Company Affairs on various issues regarding the amendment of an Act which is yet to be notified by the Government	38
V. Minutes of the sittings of the Committee on the subject held during 11th Lok Sabha	40
VI. Minutes of the sittings of the Committee on the subject held during 12th Lok Sabha	61
VII. Minutes of the sittings of the Committee on the subject held during 13th Lok Sabha	64
VIII. List of the Associations (owners as well as tenants), political parties and experts who tendered evidence before the Committee during Eleventh Lok Sabha	76

COMPOSITION OF THE STANDING COMMITTEE ON
URBAN AND RURAL DEVELOPMENT
(1999-2000)

Shri Anant Gangaram Geete—*Chairman*

MEMBERS

Lok Sabha

1. Shri Mani Shankar Aiyar
2. Shri Padmanava Behera
3. Shri Jaswant Singh Bishnoi
4. Shri A. Brahmanaiiah
5. Shri Swadesh Chakraborty
6. Shri Haribhai Chaudhary
7. Shri Bai Krishna Chauhan
8. Shri Chinmayanand Swami
9. Prof. Kailasho Devi
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11. Shri Hoikhomang Haokip
12. Shri R.L. Jalappa
13. Shri Babubhai K. Katara
14. Shri Madan Lal Khurana
15. Shri Shrichand Kriplani
16. Shri P.R. Kyndiah
17. Shri Bir Singh Mahato
18. Shri Punnu Lal Mohale
19. Dr. Ranjit Kumar Panja
20. Shri Ramchandra Paswan
21. Shri Chandresh Patel

*Nominated w.e.f. 3.8.2000.

@Nominated w.e.f. 6.4.2000 *vice* Shri Vijay Goel.

(iv)

23. Shri Dharam Raj Singh Patel
- *24. Prof. (Shrimati) A.K. Premajam
25. Shri Rajesh Ranjan
26. Shri Nikhilananda Sar
27. Shri Maheshwar Singh
28. Shri Sunder Lal Tiwari
29. Shri D. Venugopal
30. Shri Chintaman Wanaga

Rajya Sabha

- **31. Shri S. Agni Raj
32. Shrimati Shabana Azmi
33. Shri Karnendu Bhattacharjee
- *34. Shri Faqir Chand Mullana
35. Shri N.R. Dasari
- *36. Shri R.S. Gavai
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- *41. Shri Man Mohan Samal
42. Shri Solipeta Ramachandra Reddy
43. Shri Suryabhan Patil Vahadane
44. Shri A. Vijaya Raghavan

SECRETARIAT

1. Shri S.C. Rastogi — *Joint Secretary*
2. Shri P.K. Grover — *Deputy Secretary*
3. Shrimati Sudesh Luthra — *Under Secretary*

*Nominated w.e.f. 24.1.2000.

**Nominated w.e.f. 16.3.2000.

*Nominated w.e.f. 29.5.2000.

§Nominated w.e.f. 16.5.2000.

INTRODUCTION

1. the Chairman of the Standing Committee on Urban and Rural Development (1999-2000) having been authorised by the Committee to submit the report on their behalf, present the Fifteenth Report on the Delhi Rent (Amendment) Bill, 1997.

2. The Delhi Rent (Amendment) Bill, 1997 was introduced in Rajya Sabha on 28th July, 1997 and was referred to the Committee (11th Lok Sabha) by the Hon'ble Speaker under Rule 331E(1)(b) of the Rules of Procedure and Conduct of Business in Lok Sabha on the 6th August, 1997.

3. The Committee (11th Lok Sabha) issued press release inviting memoranda on the Bill from various Associations (owners as well as tenants), political parties, experts etc. Around 328 memoranda were received from various tenants/landlords organisations/individuals etc. and were duly examined by that Committee. The Committee took oral evidence of 21 Associations (owners as well as tenants), political parties and experts etc. at their sittings held on the 29th, 30th September, 1997 and the 3rd November, 1997. A list of such Associations (owners as well as tenants) Political parties and experts is given in Appendix-VIII. The Committee also took evidence of the representatives of the then Ministry of Urban Affairs and Employment (Department of Urban Development) at their sitting held on 1st October, 1997. The Committee (11th Lok Sabha) could not complete the examination of the Bill due to dissolution of Lok Sabha on the 4th December, 1997.

4. During 12th Lok Sabha, the said Bill was again referred to the Committee by Hon'ble Speaker on the 25th January, 1998 for examination and report. Since the Bill had intensively been examined by the previous Committee during 1997, the Committee (1998-99) decided to take up the examination of the Bill from the stage where the previous Committee had left and as such further evidence of the representatives of the then Ministry of Urban Affairs and Employment (Department of Urban Development) was taken on the 14th August, 1998. The Secretary during the evidence before the Committee stated that the Bill had been placed again before the Cabinet for their consideration and as such requested to defer the evidence of the Ministry till the proposed Bill was cleared by the Cabinet. The Committee acceded to the request of the Ministry and deferred the deliberations on the Bill. By the time the Cabinet could clear the amending Bill, the 12th Lok Sabha was also dissolved on the 25th April, 1999 and the examination could not be completed by the Committee.

5. During 13th Lok Sabha, the said Bill was again referred to this Committee by Hon'ble Speaker on 17th February, 2000. The Committee again decided to take up the examination of the Bill from the stage the Committee during the 12th Lok Sabha had left and the evidence of the representatives of the Ministry of Urban Development and Poverty Alleviation was accordingly taken on the 10th August, 2000. The Committee at their sittings held on the 4th, 5th and 6th December, 2000 considered the Bill clause by clause. The Committee also called the representatives of the Ministries of Urban Development and Poverty Alleviation and Law, Justice and Company Affairs and sought clarifications on the various clauses of the Bill.

6. The Committee at their sitting held on the 18th December, 2000 considered and adopted the report.

7. The Committee place on record their appreciation of the work done by the earlier Committees on Urban and Rural Development during 11th and 12th Lok Sabha. The Committee wish to express their thanks to the officers of the Ministry of Urban Development and Poverty Alleviation who appeared before the Committee and placed their considered views. They further wish to thank the officers of the Ministry of Law, Justice and Company Affairs who assisted the Committee and placed their considered views. They further wish to thank the said Ministries for furnishing the requisite material on the points raised by the Committee in connection with the examination of the Bill.

8. The Committee also benefited from the views/suggestions of individuals, associations and experts etc. They express their thanks to all of them who furnished memoranda and/or tendered evidence before the Committee as referred to in para (3) above.

9. The Committee would like to place on record their sense of deep appreciation for the invaluable assistance rendered to them by the officials of Lok Sabha Secretariat attached to the Committee.

NEW DELHI;
December 19, 2000
Agrahayana 28, 1922 (Saka)

ANANT GANGARAM GEETE,
Chairman,
Standing Committee on
Urban and Rural Development.

REPORT

PART I

BACKGROUND OF THE BILL

The Delhi Rent (Amendment) Bill, 1997 (Appendix-1) was introduced in Rajya Sabha on the 28th July, 1997 and referred to the Committee on Urban and Rural Development on the 6th August, 1997 (11th Lok Sabha) for examination and report.

1.2 The Statement of Objects and Reasons as appended to the Bill, *inter-alia* states as under:

"The Delhi Rent Bill, 1995 which received assent of the President on the 23rd August, 1995 was published as the Delhi Rent Act, 1995. However, in view of the strong reservations expressed by various individuals and organisations, the Act could not be brought into force so far. Though the Act was conceived as an attempt to promote private investment in rental housing by balancing the interests of the landlords and the tenants, yet it was felt that certain distortions are to be set at rest.

The proposed amendments are intended to make the Act more acceptable both to landlords and tenants. At the same time these would also encourage investment in the housing sector, particularly the rental housing."

1.3 It may be pertinent to mention here that the Delhi Rent Bill, 1994 introduced in Rajya Sabha on the 26th August, 1994 which proposed to replace the Delhi Rent Control Act, 1958¹ was referred to the Committee by Hon'ble Speaker on the 16th September, 1994 for examination and report. The Committee intensively examined the provisions contained in the Bill and recommended substantial changes in certain provisions contained therein. The report of the Committee was presented to Parliament on the 1st March, 1995. The Bill after being passed by both the Houses of Parliament was assented to by the President on the 23rd August, 1995.

1.4 As per the written information furnished by the Government, soon after the Delhi Rent Bill, 1994 was passed by both Houses of Parliament, a section of tenants, particularly the trader-tenants, launched an agitation against the Bill and demanded changes in some of the provisions of the Bill. The Bill was perceived to be pro-landlords by a section of tenants. The then Chief Minister of Delhi (Shri Madan Lal Khurana) set up an All Party Committee to look into this issue and to suggest possible changes. The said Committee suggested changes in some of the provisions of the Bill. The Union Government examined different aspects of the matter in detail and a view emerged that the Act might be brought into force after effecting amendments to some of its provisions in order to make it more acceptable both to landlords and tenants. This was considered and approved by the Cabinet in its meeting held on the 19th July, 1997. As such the Delhi Rent (Amendment) Bill, 1997 was introduced in Rajya Sabha on the 28th July, 1997 (11th Lok Sabha) and referred to the Committee by Hon'ble Speaker for examination and report on the 6th August, 1997.

1.5. During the examination of the Bill the Committee (11th Lok Sabha) also considered the following issues:

- (i) Whether the Parliament could amend an Act which was yet to be notified;
- (ii) Whether the examination by the Committee should be confined to the present Bill referred to them or the Committee should examine the Principal Act also."

On these issues, the advice of the Ministry of Law, Justice and Company Affairs was sought. The replies received from the Ministry are given at Appendix-IV. As regards the issue at (i) above, the Ministry *inter-alia* opined as below:

"There is no impediment under the Constitution including article 245 which bars the amendment of a legislation which is otherwise complete in all regards excepting that the executive has yet not chosen to bring into force by issuing a notification in the nature of commencement thereof."

So far as the issue at (ii) above is concerned, the said Ministry clarified as below:

"Since the relevant rules (of the House) provide for examination and making a report of the provisions of the Bill only, the Committee is normally expected to confine its examination to the provision of the Bill only. However, the examination of related matters in other legislation including the principal Act is normally not to be ignored."

1.6 The Committee also intensively examined the various amendments proposed in the Bill. Considering the interests of landlords and tenants in Delhi, the Committee issued press release inviting memoranda on the said Bill from various NGOs/individuals. Around 328 memoranda were received by the Committee which were duly examined and the Committee heard the views of 21 NGOs, and experts etc. at their sittings held on the 29th and 30th September, 1997 and 3rd November, 1997. The Committee also took the oral evidence of representatives of the erstwhile Ministry of Urban Development at their sitting held on the 1st October, 1997. However, due to dissolution of 11th Lok Sabha on the 4th December, 1997 the report of the Committee could not be finalised.

1.7 During 12th Lok Sabha, the said Bill was again referred to the Committee by Hon'ble Speaker on the 25th June, 1998 for examination and report. Since the said Bill had intensively been examined by the previous Committee during 1997-98, the Committee (1998-99) decided to take up the examination of the Bill from the stage the previous Committee had left and as such, further evidence of representatives of the then Ministry of Urban Development was taken on the 14th August, 1998. The Secretary during the evidence before the Committee stated that amending Bill had been placed before the new Cabinet for their consideration and as such requested to defer the evidence of the Ministry till the proposed amendment on the Bill was cleared by the Cabinet. The Committee decided to defer the deliberations on the Bill at the request of the Ministry. By the time the Cabinet could clear the amending Bill, 12th Lok Sabha was also dissolved on the 25th April, 1999 and the examination could not be completed by the Committee.

1.8 During 13th Lok Sabha the said Bill was again referred to the Committee by the Hon'ble Speaker on the 17th February, 2000 for examination and report. The Committee again decided to take up the examination of the Bill from the stage the Committee during 12th Lok Sabha and left and the evidence of the representatives of the Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) was taken on the 10th August, 2000. The Committee considered the Bill clause by clause at their sittings held on the 4th, 5th and 6th December, 2000. At the said sittings of the Committee, the representatives of the Ministries of Urban Development and Poverty Alleviation and Law, Justice and Company Affairs assisted the Committee.

PART II

ANALYSIS OF THE DELHI RENT (AMENDMENT) BILL, 1997

2.1 After taking into consideration the views expressed by various NGOs, experts etc. and the Government, the Committee suggest certain amendments to the Delhi Rent (Amendment) Bill, 1997 as enumerated in the succeeding paragraphs:

Applicability of the Delhi Rent Act 1995 to tenancies

2.2 As per section 3(1) (c) of the Delhi Rent Act, 1995, read with clause 2(a) of the Delhi Rent (Amendment) Bill, 1997, the said Act would not be applicable to any premises, whether residential or not and whether let out before or after the commencement of the said Act whose monthly rent payable exceeds three thousand and five hundred rupees.

2.3 The Committee heard the views of various tenants/landlords associations/NGOs/individuals/experts etc. during the evidence tendered by them. As regards the question of applicability of the Delhi Rent Act, 1995, most of the NGOs/individuals etc. expressed their opinion that the amount of Rs. 3500/- was on the lower side keeping in view the proposed increase in the rent as per the said Bill and as such suggested to increase the limit of rent payable for applicability of the Act.

2.4 During the course of oral evidence the Secretary of the Ministry of Urban Development and Poverty Alleviation stated as under:

"...I would like to submit that in respect of a residential property, not commercial property, if a person is paying Rs. 3500 per month as rent, we normally assume that the person would be paying about 25 per cent of his disposable income towards rent... That would mean that almost an income of about Rs. 13000 per month. In reality, the recommendations of the Ministry at a point of time was that the rent fixed for this protection should be Rs. 1500. It was mentioned that Rs. 1500 is too low. So, it was decided to increase it to Rs. 3500 which is not a bad amount... I feel that Rs. 3500 is very reasonable. Perhaps, some members may feel that it is very high or very low. So, you cannot really have a yardstick. The amount of Rs. 3500 has been fixed in the Delhi Rent Bill which was passed, if I am not mistaken, unanimously by the august Parliament."

2.5 The Committee after examining in detail the issue of applicability of the Delhi Rent Act, 1995 to residential and non-residential premises observe as follows:

- (i) The limit of Rs. 3500 for applicability of the Delhi Rent Act 1995 was fixed during 1988 as per Delhi Rent Control (Amendment) Act, 1988. Since then there has been no revision in the said limit. The rent for residential as well as non-residential premises in Delhi have substantially increased since then.
- (ii) The rent of residential and non-residential premises would be enhanced as per the provisions contained in clause 5(1)(a)(i) of the amending Bill. Schedule I prescribes the formula for enhancement of such rent. The Committee find that the rate of enhancement for residential and non-residential premises as per the said schedule is 8% for residential premises and 12% for non-residential premises from 1st January, 1996 onwards. Taking into account the rent of a premises as Rs. 3500 in 1995 when the Delhi Rent Act was enacted and applying even 8% increase, the rent of a premises would now come to more than Rs. 5000 per *mensem*. Thus a large number of old tenancies would be out of the purview of this Act.

The Committee, taking into consideration the above mentioned facts therefore recommend that the existing limit of rent i.e. Rs. 3500 per *mensem* for the applicability of the Delhi Rent Act, 1995 for residential as well as non-residential premises should be increased at least to Rs. 7500 per *mensem*.

Registration of Tenancies

2.6 As per section 4 (2) of the principal Act, every tenancy agreement was compulsorily to be registered under the Registration Act, 1908. However, as per clause 3 of the amending Bill, 1997, the mandatory provision of registration of tenancy agreement is proposed to be done away and all the tenancies after the commencement of the amended Act would be by agreement in writing.

2.7 When asked about the reasons for doing away with the compulsory registration of tenancies, the Government in their written replies stated as below:

"Registration of tenancies is an ideal requirement in order to obviate frivolous litigation and harassment of landlords and tenants by each other. It was, however, pointed out by various quarters that registration of past tenancies will increase the work load of registration authorities manifold and also the disputes between the parties. This issue was discussed with the senior officers from the Government of Delhi including the Chief Secretary of Delhi who expressed some practical difficulties in the registration of past tenancies. In order to make the implementation of the Act smoother, it was decided not to provide for mandatory registration of past tenancies. For future tenancies also registration has not been made mandatory under this Act because registration is governed by Indian Registration Act... While examining this aspect it came out that compulsory registration of tenancies will create massive administrative problem, in providing registration facilities with sub-registrars office besides putting the landlord and tenants to unwarranted inconvenience. In view of this, it was proposed that registration of tenancies should not be made compulsory under the Delhi Rent Act. The All Party Committee had also suggested that registration of tenancy should not be made compulsory under this Act."

2.8 It was also noticed that section 81 (2) (a) and (b) of the principal Act of 1995 gave certain powers to Central Government to make rules relating to registration of agreements as provided under sub-section (2) and sub-section (3) of section 4 of the said Act. Since the registration of tenancies itself is now proposed to be done away with, sub-section (2), clauses (a) and (b) of section 81 of the principal Act are proposed to be omitted as per clause 13 of the amending Bill.

2.9 The Committee examined in detail the merits and demerits of the provision relating to compulsory registration of tenancy agreements as provided under the principal Act of 1995. They appreciate the difficulties expressed by the Government in this regard as given above and as such endorse the clause 3 of the amending Bill according to which all the tenancy agreements after the commencement of the Act would be by agreement in writing. While agreeing to do away with the provision relating to mandatory

registration of old and future tenancies as provided under section 4 of the principal Act, the Committee feel that for the convenience of landlords as well as tenants, the procedure for making tenancy agreement between the landlord and the tenant and the format for such an agreement should specifically be prescribed under the rules to be framed by the Central Government and section 4 should specifically mention that the agreement to be made in writing should be in the manner and form prescribed under the rules. The provision regarding power to make rules in this regard should also suitably be incorporated in section 81 of the principal Act. The Committee, therefore, recommend that clause 3 and clause 13 of the amending Bill should be modified accordingly.

Inheritability of tenancy of non-residential premises

2.10 Section 5 (3) of the Delhi Rent Act, 1995, provides as below:—

“(3) Nothing in sub-section (1) or sub-section (2) shall apply to a non-residential premises and the vacant possession of such premises shall be delivered to the landlord within one year—

- (i) of the death of tenant, in case the tenant is an individual;
- (ii) of the dissolution of the firm, in case the tenant is a firm;
- (iii) of the winding up of the company, in case the tenant is a company;
- (iv) of the dissolution of the corporate body other than a company, in case the tenant is such a corporate body.”

2.11 Clause 4 of the Delhi Rent (Amendment) Bill, 1997, amending section 5 (3) of the principal Act provides as below:—

“(4) In relation to a tenant referred to in clause (i) of sub-section 5(3), the right of tenancy shall devolve for a period of three years from the date of his death to his successors in the following order, namely:—

- (a) spouse;
- (b) son or daughter; or, where there are both son and daughter, both of them;
- (c) parents;
- (d) daughter-in-law, being the widow of his pre-deceased son;

Provided that the tenancy shall devolve upon a successor only in a case where such successor was dependent on the tenant on the date of his death and such successor is not owing or occupying any other non-residential premises in the National Capital Territory of Delhi."

2.12 In effect, this clause seeks to increase the period of devolution of the right of tenancy in respect of a non-residential premises from one year to three years from the date of death of the tenant, in case the tenant is an individual. The order of the successors in whom such right shall devolve has also been prescribed.

2.13 The Committee considered the views expressed by tenants, landlords and traders associations/individuals etc. during the course of evidence tendered by them before the Committee during 11th Lok Sabha and found that this was the most controversial clause and disputed widely by the tenants and landlords. Whereas the tenants wanted perpetual right of inheritance, landlords felt that the period of one year as specified in the principal Act was sufficient. The All Party Committee constituted by the Government of Delhi also examined this issue and recommended that the period of devolution of the right of tenancy in respect of all the non-residential premises should be retained at one year from the date of death of the tenant, in case the tenant was an individual, provided he left behind no member of his family.

2.14 When asked for their views in this regard, the Government in the written replies stated as below:—

"In the case of non-residential premises, this period of inheritability has been restricted to one year in the Delhi Rent Act, 1995. This period is proposed to be increased to three years where the legal heir was dependent and does not possess any other non-residential premises. Restriction on the right of heritability is necessary so as to replace the old agreements by new agreements. It, however, does not restrict the right of legal heir of the deceased tenant to enter into fresh agreement with the landlord during the stipulated time."

2.15 The Committee note that there are conflicting interests of tenants and landlords so far as the right of inheritance of non-residential premises is concerned. They further note that the All Party Committee constituted by the Government of Delhi which also considered this issue, did not recommend any change in the period of devolution of the right of tenancy as contained in the Delhi Rent Act, 1995, in respect of non-residential premises in case the tenant was an individual. However, keeping in view the need to encourage investment in the housing sector particularly the rental housing, it is difficult to agree to the demand of tenants for perpetuity in the right of inheritance. At the same time the Committee also feel that the proposed period of 3 years in relation to devolution of tenancy to the successors of the deceased as provided by the amending Bill is not sufficient to enable the tenant to shift his trade to some other place. Taking balanced view of all these aspects, the Committee, therefore, recommend that the proposed period of inheritance of non-residential tenancies as per clause 4 of the Delhi Rent (Amendment) Bill, 1997, should be increased from 3 years to 5 years.

Formula for enhancement of rent

2.16 Schedule I (Table I) of the Delhi Rent (Amendment) Bill, 1997, specifies the formula for the rate of enhancement of rent of residential and non-residential tenancies. Such enhancement would be restricted to such percentage as specified in Table II of Schedule I of the Principal Act for premises of different built-up areas. When asked for the views of tenants and landlords in this regard, the Committee noticed that whereas the tenants felt that the rate of enhancement was on the higher side, the landlords felt that the rate of enhancement was less and should be increased.

2.17 The Committee desired to know the impact of such enhancement in rent and the Government in the written replies furnished the specific example in case of residential and non-residential premises of enhanced rent on the basis of rates specified in Schedule I of the amending Bill. (vide Appendix-II).

2.18 When asked about the date of implementation of the Delhi Rent Act, 1995, the Secretary, Ministry of Urban Development and Poverty Alleviation who was present at the sitting of the Committee held on 5th December, 2000, held for clause by clause consideration of the Bill clarified that the provisions of the proposed Act would be effective only on the notification of the said Act. On a query whether the enhancement would apply to old tenancies, it was stated by the Secretary that although the rates of enhancement in rent would apply to old tenancies also, but no arrears of rent in respect of residential and non-residential premises prior to the date of commencement of the Act would have to be paid.

2.19 The Committee considered in depth Schedule I specifying the formula for enhancing the rent for residential as well as the non-residential premises. Keeping in view the interests of landlords and tenants in this regard and the impact of the enhancement as clarified by the Government and as given in Appendix II, the Committee decides to endorse the rates as given in Schedule I.

2.20 Subject to the amendments/observations as given in the preceding paragraphs, the Committee endorse the Delhi Rent (Amendment) Bill, 1997. While endorsing the said Bill, the Committee make the following general observations:—

- (i) During 10th Lok Sabha, the Committee examined the Delhi Rent Bill, 1994 exhaustively and suggested substantial changes to be made in the said Bill. The Government did not accept even a single recommendation at that stage. However, most of the recommendations were endorsed by the All Party Committee of the Government of Delhi constituted to examine the provisions of the Delhi Rent Act, 1995. The Committee further note that the Delhi Rent (Amendment) Bill, 1997, incorporates most of the recommendations made by them in their 13th Report (10th Lok Sabha). Statement showing the details of the recommendations made by the Committee in their 13th Report and recommendations accepted by the Government while bringing out the Delhi Rent (Amendment) Bill, 1997 is at Appendix III. The Committee deplore the casual attitude of the Government while considering the suggestions/recommendations made by

them in earlier report. They also feel that, had the Government accepted the recommendations made by them in their 13th Report, it would perhaps have softened the attitude of landlords and tenants because similar changes were later suggested by the All Party Committee of Government of Delhi. The Committee take serious note of it and strongly urge that their recommendations should be taken serious note of by the Government in future.

- (ii) The Committee recommend that the Delhi Rent Act, 1995, as amended by the Delhi Rent (Amendment) Bill, 1997, should be notified as soon as the latter is passed by Parliament and assented to by the President so as to avoid any further controversy on the said Bill.
- (iii) The Committee further desire that the Government while incorporating their recommendations in the amending Bill may take note of the consequential amendments necessary in various clauses of the Bill.

NEW DELHI;
 December 19, 2000
 Agrahayana 28, 1922 (Saka)

ANANT GANGARAM GEETE,
 Chairman,
 Standing Committee on
 Urban and Rural Development.

PART-III
APPENDIX 1

(Vide para 1.1 of the Report)

AS INTRODUCED IN RAJYA SABHA

Bill No. XLII of 1997

THE DELHI RENT (AMENDMENT) BILL, 1997

A

BILL

to amend the Delhi Rent Act, 1995

Be it enacted by Parliament in the
Forty-eighth year of the Republic of
India as follows:—

Short title.

1. This Act may be called the Delhi
Rent (Amendment) Act, 1997.

Amendment of
section 3.

2. In section 3 of the Delhi Rent
Act, 1995 (hereinafter referred to as the
principal Act), in sub-section (1),—

33 of 1995

(a) in clause (c), for the words
“monthly deemed rent on the date of
commencement of this Act”, the words
“monthly rent payable” shall be
substituted;

(b) *Explanation III* shall be omitted;

(c) *Explanation IV* and *Explanation
V* shall be renumbered as *Explanation
III* and *Explanation IV* respectively.

Substitution of
new section
for section 4.

3. For section 4 of the principal Act,
the following section shall be
substituted, namely:—

4 of 1882.

"4. Notwithstanding anything contained in section 107 of the Transfer of Property Act, 1882, no person shall, after the commencement of this Act, let or take on rent any premises except by an agreement in writing."

Agreement to be in writing.

4. In section 5 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:—

Amendment of section 5.

"(4) In relation to a tenant referred to in clause (i) of sub-section (3), the right of tenancy shall devolve for a period of three years from the date of his death to his successors in the following order, namely:—

(a) spouse;

(b) son or daughter, or, where there are both son and daughter, both of them;

(c) parents;

(d) daughter-in-law, being the widow of his pre-deceased son:

Provided that the tenancy shall devolve upon a successor only in a case where such successor was dependent on the tenant on the date of his death and such successor is not owning or occupying any other non-residential premises in the National Capital Territory of Delhi."

5. In section 6 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

Amendment of section 6.

"(1) The rent payable in relation to a premises shall be,—

(a) in the case of a tenancy entered into before the commencement of this Act,—

(i) where standard rent under section 7 has not been fixed, the rent agreed to between the landlord and the tenant as enhanced in the manner provided in Schedule I; or

(ii) the standard rent specified under section 7;

(b) in the case of a tenancy entered into after the commencement of this Act, the rent agreed to between the landlord and the tenant as enhanced as per agreement, failing which in the manner provided in Schedule I, as revised under section 9."

Amendment of section 11.

6. In section 11 of the principal Act, in sub-section (1),—

(a) clause (i) shall be omitted;

(b) clauses (ii) to (v) shall be renumbered as clauses (i) to (iv) respectively;

(c) in the proviso, after the word "landlord", the words "or the tenant" shall be inserted.

Substitution of new section for section 13.

7. For section 13 of the principal Act, the following section shall be substituted, namely:—

Limitation for Application for fixation of standard rent, etc.

"13. A landlord or a tenant may file an application within two years from the date on which the cause of action has arisen, to the Rent Authority,—

(a) in the case of any premises which was let before the commencement of this Act, for any lawful increase or decrease of rent including fixation of standard rent or for payment of other charges;

“(b) in the case of any premises which was let after the commencement of this Act, for determining lawful increase or decrease of rent or other charges payable excluding fixing of standard rent:

Provided that the Rent Authority may entertain the application after the expiry of the said period of two years if he is satisfied that the applicant was prevented by sufficient cause from filing the application in time.”.

8. In section 22 of the principal Act, in sub-section (2),—

Amendment of
section 22.

(a) in clause (a), for the words “two or more”, the words “three or more” shall be substituted;

(b) in clause (r), for *explanation 1*, the following shall be substituted, namely:—

“Provided also that for the purpose of this clause, section 23, section 24, section 25 or section 26 and notwithstanding anything contained in any other provision of this Act, where the landlord in his application supported by an affidavit submits that the premises are required by him for occupation for himself or for any member of his family dependent on him, the Rent Authority shall give an opportunity to the tenant to file his reply supported by an affidavit within fifteen days of the intimation in this regard to such tenant, shall pass orders on the basis of such affidavits only and shall endeavour to dispose of the matter within one month of intimation to such tenant.

Explanation I.— For the purposes of this clause, section 23, section 24, section 25 or section 26, premises let for a particular use may be required by the landlord for a different use if such use is permissible under law."

Amendment of section 45.

9. In section 45 of the principal Act, in sub-section (3), for clause (a), the following clause shall be substituted, namely:—

"(a) Every application by a landlord for the recovery of possession of any premises on the ground specified in clause (e) or clause (f) of sub-section (2) of section 22 or under section 33 shall be dealt with in accordance with the procedure specified in this sub-section."

Amendment of section 48.

10. In section 48 of the principal Act,—

(a) in sub-section (1),—

(i) in clause (b), for the words "Member; or", the word "Member" shall be substituted;

(ii) clause (c) and clause (d) shall be omitted.

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) A person shall not be qualified for appointment as a Member, unless he—

(a) is, or has been, qualified to be, a Judge of High Court, or

(b) has been a Member of the Indian Legal Service and has held a post in Grade-I of that Service for at least three years.

(c) in sub-section (3), for the words, brackets, and figures "Subject to the provisions of sub-sections (4) and (5), the", the word "The" shall be substituted;

(d) sub-section (4) and sub-section (5) shall be omitted.

11. In section 67 of the principal Act, for the opening words "On the commencement of this Act", the words "On the establishment of the Tribunal under section 46" shall be substituted.

Amendment of section 67.

12. In section 71 of the principal Act, in sub-section (1), for the opening words "No court", the words and figures "On the establishment of the Tribunal under section 46, no court" shall be substituted.

Amendment of section 71.

13. In section 81 of the principal Act, in sub-section (2), clauses (a) and (b) shall be omitted.

Amendment of section 81.

14. Section 82 of the principal Act shall be renumbered as section 84 and before section 84 as so renumbered, the following sections shall be inserted, namely:—

Addition of certain new sections.

31 of 1950.

96 of 1956.

"82. Nothing in this Act shall affect the provisions of the Administration of Evacuee Property Act, 1950, or the Slum Areas (Improvement and Clearance) Act, 1956.

Saving of operation of certain enactments.

83. Notwithstanding anything contained in this Act, for so long as a Rent Authority is not appointed under sub-section (1) of section 43 of the Delhi

Transitory provisions.

Rent Tribunal is not established under section 46,—

(a) the Controllers appointed under section 35 of the Delhi Rent Control Act, 1958 (hereinafter in this section referred to as the repealed Act), shall continue to hold office and shall exercise the powers conferred, and duties imposed, on a Rent Authority by or under this Act in the manner provided in Chapter VI of the repealed Act;

59 of 1958.

(b) the Rent Control Tribunal appointed under sub-section (1) of section 38 of the repealed Act shall continue to hold office and exercise the powers of appeal over the decisions of the Controllers referred to in clause (a) in the manner it had been exercising such powers under section 38 of the repealed Act;

(c) reference to—

(i) "Tribunal" in sub-section (6) of section 44,

(ii) "Chairman" in sub-section (3) of section 45,

(iii) "Chairman of the Tribunal" in clause (b) of sub-section (7) of section 45,

(iv) "Chairman of the Tribunal" in clause (d) of sub-section (7) of section 45,

shall be deemed to be reference to Rent Control Tribunal referred to in clause (b)."

Amendment
of Schedule I.

15. In Schedule I of the principal Act, for Table I, the following Table shall be substituted, namely:—

"TABLE-I

Date of agreement/commencement of construction	Rate of annual enhancement of rent
1. Up to the 31st December, 1949	Two per cent.
2. On and from the 1st January, 1950 to the 31st December, 1960	Four per cent.
3. On and from the 1st January, 1961 to the 31st December, 1970	Six per cent.
4. On and from the 1st January, 1971 to the 31st December, 1995	(i) Eight per cent. for residential premises; (ii) Ten per cent. for non-residential premises.
5. On and from the 1st January, 1996 onwards	(i) Eight per cent. for residential premises. (ii) Twelve per cent. for non-residential premises."

16. In Schedule IV of the principal Act, for the portion beginning with the words, brackets and letters "For cases covered under clauses (e) and (f)" and ending with the words "and for other cases indicate thirty days.", the following shall be Substituted, namely:—

Amendment of Schedule IV.

"For Cases covered under clause (e) or clause (f) or clause (r) of sub-section (2) of section 22 or section 23, section 24, section 25, section 26 or section 33, indicate fifteen days and for other cases indicate thirty days."

STATEMENT OF OBJECTS AND REASONS

The Delhi Rent Bill, 1995 which received assent of the President on the 23rd August, 1995 was published as the Delhi Rent Act, 1995. However, in view of the strong reservations expressed by various individuals and organisations, the Act could not be brought into force so far. Though the Act was conceived as an attempt to promote private investment in rental housing by balancing the interests of the landlords and the tenants, yet it was felt that certain distortions are to be set at rest.

2. The issue regarding enforcement of the Act with or without amendments has been under examination of the Central Government at various levels for over a year. A view has emerged after various high level meetings that the Act may be brought into force after effecting certain amendments therein.

3. Having regard to the various representations and the developments referred to above, it has been decided to amend the Act, *inter alia*, seeking to provide for the following, namely:—

- (a) provision regarding non-applicability of the Act under section 3 (1) (c) will be in relation to monthly rent payable instead of in relation to monthly deemed rent;
- (b) all tenancies which may be entered into after the commencement of the Delhi Rent Act, 1995 shall be in writing and registration thereof shall be governed by the provisions of the Registration Act, 1908;
- (c) inheritability of tenancies in relation to non-residential premises where the successor of the deceased tenant was dependent on him and is also not owning or possessing any non-residential premises in the National Capital Territory of Delhi shall be for a period of three years;
- (d) the tenant will be given an opportunity to file a counter-affidavit in reply to the affidavit filed by the house-owner for getting his premises vacated in relation to certain grounds of eviction;

- (e) qualifications and mode of selection of the Chairman and the Members of the Delhi Rent Tribunal will be at par with those of the Central Administrative Tribunal (CAT);
- (f) the adjudicating machinery set up under the Delhi Rent (Control) Act, 1958 will continue to deal with cases till the new machinery (i.e. Rent Authority and Delhi Rent Tribunal) is set up and becomes operational under the Delhi Rent Act, 1995; and
- (g) the Act shall not affect the provisions of the Administration of Evacuee Property Act, 1950 or the Slum Areas (Improvement and Clearance) Act, 1956.

4. The proposed amendments are intended to make the Act more acceptable both to landlords and tenants. At the same time these would also encourage investment in the housing sector, particularly the rental housing.

5. The Bill seeks to achieve the above objects.

NEW DELHI;
The 25th July, 1997.

U. VENKATESWARLU

ANNEXURE

EXTRACTS FROM THE DELHI RENT ACT, 1995

(33 OF 1995)

* * * * *

Certain provisions not to apply to premises.

3. (1) Nothing in this Act shall apply—

* * * * *

(c) to any premises, whether residential or not and whether let out before or after the commencement of this Act, whose monthly deemed rent on the date of commencement of this Act exceeds three thousand and five hundred rupees;

* * * * *

Explanation III.— "Deemed rent on the date of commencement of this Act" shall be the rent calculated in the manner provided in section 7, together with revision, if any, as provided in section 9 and decreased in the case of premises constructed after the commencement of this Act at the same rate as the rate of enhancement stipulated in Schedule I to reflect the position on the date of the commencement of this Act.

* * * * *

Registration of tenancy agreements.

4. (1) Notwithstanding anything contained in section 107 of the Transfer of Property Act, 1882, no person shall, after the commencement of this Act, let or take on rent any premises except by an agreement in writing.

(2) Every agreement referred to in sub-section (1) or required to be registered under sub-section (3) shall be registered under the Registration Act, 1908, within such period as may be prescribed and for this purpose the agreement shall be deemed to be a document for which registration is compulsory under section 17 of the said Act.

(3) Where, in relation to a tenancy created before the commencement of this Act,—

(a) an agreement in writing was entered into, and was not registered under the Registration Act, 1908, the landlord and the tenant shall jointly present a copy thereof for registration before the registering officer under the said Act;

(b) no agreement in writing was entered into, the landlord and the tenant shall enter into an agreement in writing with regard to that tenancy and present the same for registration before the registering officer under the said Act:

Provided that where the landlord and the tenant fail to present jointly a copy of tenancy agreement under clause (a) or fail to reach an agreement under clause (b) such landlord and the tenant shall separately file the particulars about such tenancy with the prescribed authority in such form and in such manner and within such period as may be prescribed.

* * * * *

CHAPTER II

RENT

Rent payable.

6. (1) The rent payable in relation to a premises shall be—

(a) the rent agreed to between the landlord and the tenant as enhanced in the manner provided in Schedule I; or

(b) the standard rent specified under section 7,

as revised under section 9.

* * * * *

Rent authority to fix standard rent, etc.

11. (1) The Rent Authority shall, on an application made to him in this behalf, in the prescribed manner, fix in respect of any premises—

(i) the deemed rent for the purpose of clause (c) of sub-section (1) of section 3;

(ii) the enhancement in rent in the manner provided in Schedule I;

(iii) the standard rent as per the provisions of section 7;

(iv) the other charges payable as per the provisions of section 8; and

(v) the revision in rent as per the provisions of section 9:

Provided that it shall not be permissible for the landlord to apply for the fixation of standard rent as per the provisions of section 7 in the case of a tenancy entered into after the commencement of this Act.

* * * * *

13. A tenant may file an application to the Rent Authority for fixing the standard rent of the premises and a landlord or a tenant may file application for determining the lawful increase or decrease of rent or other charges payable,—

Limitation for application for fixations of standard rent, etc.

* * * * *

(b) in the case of any premises which was let after the commencement of this Act,—

(i) for fixing the standard rent thereof, within two years from the date on which the premises was let;

(ii) in any other case, within two years from the date on which cause of action arose:

Provided that the Rent Authority may entertain the application after the expiry of the said period of two years, if he is satisfied that the applicant was prevented by sufficient cause from filing the application in time.

* * * * *

CHAPTER IV

PROTECTION OF TENANTS AGAINST EVICTION

22. (1)

* * * * *

Protection of tenant against eviction.

(2) The Rent Authority may, on an application made to him in the prescribed manner, make an order for the recovery of possession of the premises on one or more of the following grounds only, namely:—

(a) that the tenants has neither paid nor tendered the whole of the arrears of the rent and other charges payable for two or more consecutive months legally recoverable from him within two months of the date on which a notice of demand for the arrears of such rent and other charges payable and interests at the rate of fifteen per cent. for the period of default has been served on him by the landlord in the manner provided in section 106 of the Transfer of Property Act, 1882.

4 of 1882.

Provided that a tenant shall not be entitled to the benefit of service of notice by the landlord under this clause where, having obtained such benefit once respect of any premises, he again makes a default in the payment of rent and other charges payable in the respect of those premises;

* * * * *

(r) that the premises let for residential or non-residential purposes are required, whether in the same form or after re-construction or re-building, by the landlord for occupation for residential or non-residential purpose for himself or for any member of his family if he is the owner thereof, or for any person for whose benefit the premises are held and that the landlord or such person has no other reasonably suitable accommodation;

Provided that where the landlord has acquired the premises by transfer, no application for the recovery of possession of such premises shall lie under this clause unless a period of three years has elapsed from the date of the acquisition:

Provided further that where an order for the recovery of possession of any premises is made on the ground specified in this clause, the landlord shall be entitled to obtain possession thereof on the expiration of a period of six months in the case of residential premises and one year in the case of non-residential premises from the date of passing of eviction order.

Explanation 1.— For the purposes of this clause and section 23 to 26,—

(i) where the landlord in his application supported by an affidavit submits that the premises are required by him for occupation for himself or any member of his family dependent on him, the Rent Authority shall presume that the premises are so required;

(ii) premises let for a particular use may be required by the landlord for a different use if such use is permissible under law.

* * * * *

45. (1)* * * *

(8) (a) Every application by a landlord for the recovery of possession of any premises on the ground specified in clause (e) or clause (f) or clause (r) of sub-section (2) of section 22, or under section 23, or under section 24, or under section 25, or under section 26, or under section 33, shall be dealt with in accordance with the procedure specified in this sub-section.

Procedure to
be followed
by Rent
Authority.
^

* * * * *

Qualifications
for
appointment
as Chairman
and Members.

48. (1) A person shall not be qualified for appointment as the Chairman unless he—

(a) is, or has been, a Judge of a High Court; or

(b) has, for at least three years, held the office of a Member; or

(c) is, or has been, a Member of the Indian Legal Service and has held, for at least three years, a post in Grade I of that Service; or

(d) has, for at least three years, held the post of a Secretary in the Law Department of a State Government.

(2) A person shall not be qualified for appointment as a Member unless he—

(a) has, for at least eight years, held the post of Rent Authority; or

(b) has, for at least five years, held the post of a District Judge; or

(c) is, or has been, a Member of the Indian Legal Service in Grade I of that Service; or

(d) has, for at least two years, held the post of a Secretary in the Law Department of a State Government; or

(e) has, for at least ten years, been an Advocate.

(3) Subject to the provisions of subsections (4) and (5), the Chairman and other Member of the Tribunal shall be appointed by the President of India after consultation with the Chief Justice of India.

(4) The Chairman and other Members shall be appointed by the President of India on the recommendation of a Selection Committee appointed by the Central Government consisting of the following, namely:—

(a) Chief Justice of the High Court of Delhi or his nominee who shall be a sitting Judge of the High Court;

(b) Chairman of the Tribunal (except in case of the appointment of the Chairman);

(c) Secretary to the Government of India in the Ministry dealing with Legal Affairs;

(d) Secretary to the Government of India in the Ministry dealing with Urban Development;

(e) Chief Secretary to the Government of the National Capital Territory of Delhi.

(5) The Selection Committee shall recommend a person for appointment as Chairman or other Member from amongst the persons on the list of candidates prepared by the Ministry dealing with Urban Development in consultation with the Department dealing with Justice of the Government of India in accordance with the procedure as may be prescribed.

* * * * *

Transfer of
Pending cases.

67. On the commencement of this Act, all cases pertaining to the matters in respect of which the Tribunal shall have jurisdiction under this Act including the cases under the Transfer of Property Act, 1882 in respect of premises and tenancies covered under clauses (c) to (i) of sub-section (1) of section 3 and pending in the High Court and all cases pending in the Rent Control Tribunal or additional Rent Control Tribunal constituted under the Delhi Rent Control Act, 1958 shall stand transferred to the Tribunal and the Tribunal may proceed with the matter either *denovo* or from the stage it was so transferred.

4 of 1882.

59 of 1958.

* * * * *

Criminal
Jurisdiction of
the Tribunal.

71. (1) No court other than the Tribunal shall try any offence punishable under this Act.

* * * * *

Power to
make rules.

81. (1)* * * * *

(2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters, namely:—

(a) the period within which agreements shall be registered under sub-section (2) of section 4;

(b) the authority before whom, the form and the manner in which and the period within which the landlord and the tenant shall separately file the particulars about the tenancy under the proviso to sub-section (3) of section 4;

* * * * *

SCHEDULE I

(See sections 6 and 7)

TABLE I

Date of agreement/commencement of construction	Rate of enhancement of rent
1. Upto 31st December, 1949	Two per cent.
2. On and from 1st January, 1950 to 31st December, 1960	Four per cent.
3. On and from 1st January, 1961 to 31st December, 1970	Six per cent.
4. On and from 1st January, 1971 to 31st December, 1994	(i) Eight per cent. for residential premises; (ii) Ten per cent. for non-residential premises.
5. On and from 1st January, 1995 onwards	Seventy-five per cent of annual inflation rate based on Whole-sale Price Index in the case of residential premises and hundred per cent. of such rate in the case of non-residential premises.

SCHEDULE IV

{See sub-section (4) of section 45}

Form of Summons

(Name, description and place of residence of the tenant)

Whereas Shri..... has filed an application (a copy of which is annexed) for.....on the grounds specified in section.....

You are hereby summoned to appear before the Rent Authority within (*) days of the service hereof and file a reply within.....days in default whereof the matter shall be heard and disposed of *ex parte*.

(**) You are to obtain the leave of the Rent Authority to contest the application for eviction of the ground....., in default whereof, the applicant will be entitled at any time after the expiry of the said period of fifteen days to obtain an order for your eviction from the said premises.

Leave to appear and contest the application may be obtained on an application to the Rent Authority supported by an affidavit as is referred to in clause (b) of sub-section (7) of section 45.

Given under my hand and seal of the Rent Authority/additional Rent Authority:

This.....day of.....19.....

(Seal)

Rent Authority/
Additional Rent Authority.

*To be filled in.

**Strike off portion not applicable.

Notes:—

*For cases covered under clauses (e) and (f) of sub-section (2) of section 22 and sections 23, 24, 25, 26 and 33 indicate fifteen days and for other cases indicate thirty days.

**For only cases covered under clause (a) of sub-section (8) of section 45.

RAJYA SABHA

A

BILL

to amend the Delhi Rent Act, 1995.

*(Dr. U. Venkateswarlu, Minister of State in the
Ministry of Urban Affairs and Employment)*

APPENDIX II

(Vide Para 2.17 of the Report)

**TABLE SHOWING IMPACT OF ENHANCEMENT OF RENT ON
01.12.2000 AS PER SCHEDULE 1 OF THE AMENDING BILL**

S. No	As per the Amendment Bill		Specific Example		
	Date of Agreement/ Commencement of Construction	Rate of Annual Enhancement of Rent	Date	Residential Premises (Rs. Per Month)	Non- Residential Premises (Rs. Per Month)
1.	Upto 31st December, 1949	Two per cent	1.12.1947	100	100
			1.12.1948	102	102
			1.12.1949	104	104
2.	On and from the 1st January, 1950 to 31st December, 1960	Four per cent	1.12.1950	108	108
			1.12.1951	113	113
			1.12.1960	160	160
3.	On and from the 1st January, 1961 to 31st December, 1970	Six per cent	1.12.1961	170	170
			1.12.1962	180	180
			1.12.1970	285	285
4.	On and from the 1st January, 1971 to 31st December, 1995	(i) Eight per cent for residential premises; (ii) Ten per cent for non-residential premises.	1.12.1971	308	314
			1.12.1972	333	345
			1.12.1995	1966	3091
5.	On and from the 1st January, 1996 onwards	(i) Eight per cent for residential premises; (ii) Twelve per cent for non- residential premises.	1.12.1996	2123	3461
			1.12.1997	2293	3876
			1.12.2000	2888	5444

APPENDIX III

**STATEMENT SHOWING THE RECOMMENDATIONS CONTAINED
IN THE 13TH REPORT (10TH LOK SABHA) OF THE
COMMITTEE ON URBAN AND RURAL DEVELOPMENT
AND THOSE ACCEPTED AND INCORPORATED
IN THE DELHI RENT (AMENDMENT)
BILL, 1997**

Sl. No.	Recommendation Para No.	Recommendation	Status in the Delhi Rent (Amendment) Bill, 1997
1	2	3	4
1.	2.5	The Committee are of the view that the said Section 3 (1) (c) may be amended so as to provide exemption on the pattern given under Section 3(c) of the Delhi Rent Control Act, 1988. The necessary consequential amendments may also be made in other clauses of the Bill.	Accepted
2.	2.6	The Committee recommend that the premises belonging to Religious/Charitable/Educational Trusts be duly recognised for exemption under the Income Tax Act.	Not Accepted
3.	2.7	The Committee suggest that in order to avoid delays in registration the Government while framing rules under sub-section (2) of clause 4 should provide for a reasonable time period, say 30 days within which the registering officer shall register and return the duly registered documents to the parties. The Committee also recommend that necessary facilities should be provided to the registering Officers to dispose off the applications within the prescribed period.	Not Accepted

1	2	3	4
4.	2.8	<p>The Committee, therefore, recommend that the following sub-clauses should be added after sub-clause (d) of clause 5 (1) of the proposed Bill:</p> <p>5 (1) (e) grand son or grand daughter or where there are both grandson or grand daughter both of them.</p> <p>The Committee further propose that suitable amendments should also be made to clarify that in case of tenancy for a limited period under clause 33, the inheritably of tenancies shall only be for the unexplored period of the agreement.</p>	Not Accepted
5.	2.12 & 2.13	<p>The Committee are of the opinion that to be fair to both the tenant and the landlord and to avoid unnecessary litigation, the words 'and the tenant' should be added after the word 'landlord' in line 1 of the proviso and it should read as follows:</p> <p>"Provided that it shall not be permissible for the landlord and the tenant to apply for the fixation of standard rent as per the provisions of Section 7 to the case of a tenancy entered into after the commencement of this Act."</p>	Accepted
6.	2.21	<p>The Committee are of the view that a person cannot be considered as qualified to hold the post of a Chairman/Member of the Delhi Rent Tribunal simply because he has held the post of a Secretary, in the Law Department of a State Government unless he possesses the necessary legal background as provided in sub-clause (c). As such the Committee feel that sub-clause (d) of clause 48 (1) and (2) should be deleted.</p>	Accepted

1	2	3	4
7.	2.22	<p>Further as per clause 48 (2) a person who has been a member of Indian Legal Service, Grade-I shall be eligible for appointment as a Member of the Rent Tribunal. The Committee observe that atleast an experience of 2 years service should be made compulsory to be qualified for appointment as a Member of the Tribunal. Hence, the Committee recommend that sub-clause (c) of clause 48 (2) should be amended as below:</p> <p>“48 (2) (c): is, or has been, a Member of the Indian Legal Service and has held, for at least two years, a Post in Grade I of that Service.”</p>	Accepted
8.	2.23	<p>The Committee are of the view that a clause similar to section 54 of the present Act should be added in the proposed Bill also to clarify the position.</p>	Accepted

APPENDIX IV

THE COMMENTS OF THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS ON THE VARIOUS ISSUES REGARDING THE AMENDMENT OF AN ACT WHICH IS YET TO BE NOTIFIED BY THE GOVERNMENT

Whether the Parliament can Amend An Act which is yet to be notified:

Article 245 in Part XI of the Constitution provides for the law making power of the Parliament as under:—

Extent of laws made by Parliament and by the legislature of the States.

"245. (1) Subject to the provisions of this Constitution, Parliament may make laws for the whole or any part of the territory of India, and the Legislature of a State may make laws for the whole or any part of the State.

(2) No law made by Parliament shall be deemed to be invalid on the ground that it would have extra-territorial operation."

2. "Make Laws" in article 245 has been interpreted to include the power to repeal or amend the laws made by the Legislature itself. [Shibnath Vs. Porter, AIR 1943 Cal. 377. Emperor Vs. Benorilal (1945) 49 C.W.N. 178 P.C.]. Even in a case where the President or the Governor exercises the powers of the Union or State Legislature, as the case may be, under article 123 or 213 or 357 (1) (a) the President or the Governor shall be competent to repeal or amend laws of the Legislature concerned [Jnan Prasanna Vs. Province of West Bengal (1949) 4. T.L.R. 20 (33) Cal.]

3. In view of the complexity of legislations and initial preparation required for bringing into operation the provisions contained therein, it is quite common now to include a provision in the nature of commencement clause in Section 1 of the Act. It is judicially settled that once the legislature declares the policy of the law and fixes the principles which are to control in given cases, it may validly invest any administrative body with powers to ascertain the facts and conditions or the objects to which the policy and principles shall apply. To deny this would be to stop the wheels of the Government. There are many things upon which useful legislation must depend which cannot be known to the law making power, and must, therefore, be a subject of enquiry and determination outside the halls of the legislation [Field V. Clark (1892) 143 US 649]. The provisions in the nature of commencement clause is known as conditional legislation in contradistinction to the branch of law known as subordinate legislation.

4. The Act in a situation where commencement notification has not been issued is complete in itself in all regards except that its implementation has been left to the leave of determination about the time of its implementation to the discretion of executive. There is no impediment under the Constitution including article 245, which bars the amendment of a legislation which is otherwise complete in all regards excepting that the executive have yet not chosen to bring into force by issuing a notification in the nature of commencement thereof.

Is there any Precedent when Parliament amended an Act before it was notified?

There are many precedents available on the statute book indicating that the Parliament has amended an existing Act of Parliament before the same was brought into force by invoking commencement provision contained therein. The Legal Service Authorities Act, 1987 (39 of 1987) was amended by the Legal Service Authorities (Amendment) Act, 1994 (59 of 1994) before the principal Act 39 of 1987 was brought into force. The Hire Purchase Act, 1972 (26 of 1972) was proposed to be amended by the Hire Purchase (Amendment) Bill, 1989 which was introduced in the Rajya Sabha on 5.5.1989. The Hire Purchase Act, 1972 has as yet not been brought into force.

Whether the Examination by the Committee should confine to the Present Bill or the Committee can examine the Principal Act also:

Rule 331E and Rule 331H of the Rules of Procedure and Conduct of Business in Lok Sabha provide for the examination of the Bills by the Departmentally related Standing Committees. Rule 331E provides that the Committee will examine such Bills as are referred to it by the Speaker of Lok Sabha or the Chairman of Rajya Sabha, as the case may be, and to report thereon. Rule 331H provides the details as to the procedure which shall be followed by the Standing Committee in examining the Bills and making the report thereon. Since the relevant rules provide for examination and making a report of the provisions of the Bill only, the Committee is normally expected to confine its examination to the provision of the Bill only. However, the examination of the related matters in other legislations including the principal Acts is normally not to be ignored.

APPENDIX V

MINUTES OF THE SITTINGS OF THE COMMITTEE ON THE SUBJECT HELD DURING 11TH LOK SABHA

COMMITTEE ON URBAN & RURAL DEVELOPMENT (1997-98)

MINUTES OF THE SECOND SITTING OF THE COMMITTEE ON URBAN & RURAL DEVELOPMENT HELD ON FRIDAY, THE 26TH SEPTEMBER, 1997

The Committee sat from 11.00 hrs. to 13.30 hrs. in Committee Room 'E', Parliament House Annexe, New Delhi.

PRESENT

Shri Sontosh Mohan Dev — *Chairman*

MEMBERS

Lok Sabha

2. Shri J.P. Aggarwal
3. Shri L. Balaraman
4. Shri Dilip Singh Bhuria
5. Shri Lalmuni Chaubey
6. Shri Shivraj Singh Chauhan
7. Shri Kishanlal Diler
8. Shri Subrata Mukherjee
9. Shri Prahalad Singh Patel
10. Shri Ramsajeevan
11. Shrimati Ketki Singh
12. Shri Chitrasen Sinku
13. Shri C. Narayanaswamy

Rajya Sabha

14. Shri Nilotpal Basu
15. Shri O.P. Kohli
16. Shri Radhakishan Malaviya
17. Shri Jagdambi Mandal
18. Shri V. Rajeshwar Rao
19. Shri Solipeta Ramchandra Reddy
20. Shri Suryabhan Patil Vahadane
21. Shri Khan Gufran Zahidi

SECRETARIAT

1. Shri S.C. Rastogi — *Director*
2. Smt. Sudesh Luthra — *Under Secretary*
3. Shri P.V.L.N. Murthy — *Assistant Director*

REPRESENTATIVES OF THE MINISTRY OF URBAN AFFAIRS AND
EMPLOYMENT (DEPARTMENT OF URBAN DEVELOPMENT)

1. Shri N.P. Singh — *Secretary*
2. Shri Hemendra Kumar — *Addl. Secretary*
3. Shri B.L. Nimesh — *Director (Lands & LSG)*

REPRESENTATIVE OF THE DEPARTMENT OF LAW & JUSTICE

- Dr. Raghbir Singh — *Addl. Secretary*

2. At the outset, the Chairman welcomed the Secretary, Department of Urban Development, his colleagues and the representative of the Department of Law & Justice to the sitting of the Committee.

3. The Secretary, Urban Affairs & Employment and Additional Secretary, Law, briefed the Committee about the salient features of the Delhi Rent (Amendment) Bill, 1997. They also explained the reasons for proposing amendments to the Delhi Rent Act, 1995, which was yet to be notified.

4. After considering the matter the Committee decided that the Department of Urban Development should be asked to furnish the

following information in tabular form in respect of each clause of the Bill:

- (i) the proposed amendments as per the amending Bill, 1997;
- (ii) the position vide 1958 Act
- (iii) the position as per amendment Act, 1988
- (iv) the position as per Act of 1995
- (v) the recommendations of the Committee on Urban and Rural Development whether agreed to, if not the reasons therefor
- (vi) the recommendations of the All Party Committee, whether accepted, if not the reasons therefor
- (vii) High Court/Supreme Court judgements having a bearing on the clauses of the proposed Bill, *if any*.

The Committee then adjourned.

COMMITTEE ON URBAN & RURAL DEVELOPMENT (1997-98)
MINUTES OF THE THIRD SITTING OF THE COMMITTEE ON
URBAN & RURAL DEVELOPMENT HELD ON MONDAY,
THE 29TH SEPTEMBER, 1997

The Committee sat from 1100 hrs. to 1340 hrs. in Committee Room, 'E' Parliament House Annexe, New Delhi.

PRESENT

Shri Sontosh Mohan Dev - *Chairman*

MEMBERS

Lok Sabha

2. Shri J.P. Aggarwal
3. Shri L. Balaraman
4. Shri Dilip Singh Bhuria
5. Shri Lalmuni Chaubey
6. Shri Shivraj S. Chauhan
7. Shri Kishanlal Diler
8. Shri Sankar Prasad Jaiswal
9. Shri Chayyanna Patrudu
10. Shri Ram Sajeevan
11. Shri Maruti D. Shelke
12. Smt. Ketki Singh
13. Shri Chintaman Wanaga

Rajya Sabha

14. Shri Gandhi Azad
15. Shri Nilotpal Basu
16. Shri O.P. Kohli
17. Shri Jagdambi Mandal
18. Shri Thennala Balakrishna Pillai
19. Shri V. Rajeshwar Rao
20. Shri Solipeta Ramachandra Reddy
21. Shri Suryabhan Patil Vahadane
22. Shri Khan Gufran Zahidi

SECRETARIAT

- | | | |
|-------------------------|---|---------------------------|
| 1. Shri S.C. Rastogi | — | <i>Director</i> |
| 2. Smt. Sudesh Luthra | — | <i>Under Secretary</i> |
| 3. Shri P.V.L.N. Murthy | — | <i>Assistant Director</i> |

**Representatives of Ministry of Urban Affairs and Employment
(Department of Urban Development)**

- | | | |
|------------------------|---|------------------------|
| 1. Shri Hemendra Kumar | — | <i>Addl. Secretary</i> |
| 2. Shri S. Banerjee | — | <i>Jt. Secretary</i> |
| 3. Shri B.L. Nimesh | — | <i>Director</i> |

Representative of Department of Law & Justice

Dr. Raghbir Singh — *Addl. Secretary*

WITNESSES

1. House Owners Welfare Association, Kamla Nagar
 - (i) Shri N.S. Jain, President
 - (ii) Shri C.B. Aggarwal, Secretary
 - (iii) Shri Ravinder Kapoor, Jt. Secretary
 - (iv) Shri S.C. Gupta, Legal Advisor
2. Society for Fair Laws & Justice
 - (i) Shri D.S. Bawa, Secretary General
 - (ii) Shri Hari Chand
 - (iii) Shri D.C. Mishra
 - (iv) Smt. G.K. Sehti
 - (v) Shri. P.K. Rais
3. Delhi House Owners Forum, Vasant Vihar
 - (i) Shri K.L. Rathee, President
 - (ii) Shri S.L. Jain, Vice-President
 - (iii) Shri O.P. Tyagi, General Secretary
 - (iv) Ms. Punam Puri, Member
 - (v) Shri M.S.D. Jaitely, Member

4. House Owners Association, Karol Bagh, New Delhi

- (i) Shri Youginder Singh, Secretary
- (ii) Shri Kailash Chand Jain
- (iii) Shri Tirath Prakash Sharma
- (iv) Shri Ved Prakash Sharma
- (v) Shri Sushil Bali

5. Delhi House Owners Association, Sukhdev Vihar

- (i) Shri Rajinder Kumar Tanwar, President
- (ii) Shri Mangat Ram Tanwar
- (iii) Shri V.P. Verma
- (iv) Shri Lachhman Singh

6. Old Delhi House Owners Association

- (i) Shri Praveen Chand Jain
- (ii) Shri Rajiv Jain

2. At the outset, the Chairman welcomed the representatives of the Ministry of Urban Affairs & Employment (Department of Urban Development) and Department of Law and Justice.

3. The Committee then took evidence of the following House Owners' Associations at the time indicated against each. Before they were asked to depose before the Committee, the Chairman welcomed them and drew the attention of each of the witnesses to the provisions of direction 58 of the Directions by the Speaker.

Name	From	To
House Owners Welfare Association, Kamla Nagar	1115 hrs.	1140 hrs.
Society for Fair Laws & Justice	1140 hrs.	1220 hrs.
Delhi House Owners Forum, Vasant Vihar	1220 hrs.	1240 hrs.
House Owners Association, Karol Bagh	1240 hrs.	1300 hrs.
Delhi House Owners Association, Sukhdev Vihar	1300 hrs.	1325 hrs.
Old Delhi House Owners Association	1325 hrs.	1340 hrs.

4. A verbatim record of the proceedings was kept.

The Committee then adjourned to meet again at 1500 hrs.

COMMITTEE ON URBAN & RURAL DEVELOPMENT
(1997-98)

MINUTES OF THE FOURTH SITTING OF THE COMMITTEE ON
URBAN & RURAL DEVELOPMENT HELD ON MONDAY,
THE 29TH SEPTEMBER, 1997

The Committee sat from 1500 hrs. to 1800 hrs. in Committee
Room 'E', Parliament House Annexe, New Delhi.

PRESENT

Shri Sontosh Mohan Dev — *Chairman*

MEMBERS

Lok Sabha

2. Shri J.P. Aggarwal
3. Shri Surjit Singh Barnala
4. Shri Dilip Singh Bhuria
5. Shri B. Dharmabiksham
6. Shri Kishanlal Diler
7. Smt. Ketki Singh

Rajya Sabha

8. Shri Gandhi Azad
9. Shri Nilotpal Basu
10. Shri O.P. Kholi
11. Shri Jagdambi Mandal
12. Shri Thennala Balakrishna Pillai
13. Shri Solipeta Ramachandra Reddy
14. Shri Khan Gufran Zahidi

SECRETARIAT

- | | | |
|---------------------------|---|---------------------------|
| 1. Shri S.C. Rastogi | — | <i>Director</i> |
| 2. Shrimati Sudesh Luthra | — | <i>Under Secretary</i> |
| 3. Shri P.V.L.N. Murthy | — | <i>Assistant Director</i> |

**Representatives of the Ministry of Urban Affairs & Employment
(Department of Urban Development)**

1. Shri Hemendra Kumar — Addl. Secretary
2. Shri S. Banerjee — Joint Secretary
3. Shri B.L. Nimesh — Director

Representative of the Department of Law & Justice

- Dr. Raghubir Singh — Addl. Secretary

WITNESSES

1. Delhi Slum Area Kirayedar Association

- (i) Shri Satish Chand Sharma, General Secretary
- (ii) Shri Surender Kumar Gupta
- (iii) Shri D.N. Bansal
- (iv) Shri Inder Narain Bhatt

2. New Delhi Traders Association

- (i) Shri M.M. Aggarwal
- (ii) Shri R.R. Sood
- (iii) Shri P.K. Khanna
- (iv) Shri Vijay Kumar
- (v) Smt. Paramjit Kaur

3. Liberty Institute, New Delhi

- (i) Ms. Asha Puri

4. Delhi Vyapar Mahasangh

- (i) Shri M.L. Kumar, President
- (ii) Shri Padam Chand Gupta, General Secretary
- (iii) Shri Viresh Chaudhary
- (iv) Shri R.N. Grover

5. Forum of Delhi Traders Association

- (i) Shri Satinder Jain
- (ii) Shri Vijay Gupta
- (iii) Shri Rajender Gupta
- (iv) Shri Sushil Goel
- (v) Shri Pravin Khandelwai

2. The Committee took evidence of the following Tenants/Traders Associations on the provisions of the Delhi Rent (Amendment) Bill, 1997 at the time specified against each. Before they were asked to depose before the Committee, the Chairman welcomed them and drew the attention of each of the witnesses to the provisions of direction 58 of the Directions by the Speaker:-

Name	From	To
Delhi Slum Area Kirayedar Association	1510 hrs.	1550 hrs.
New Delhi Traders Association	1550 hrs.	1635 hrs.
Liberty Institute	1635 hrs.	1700 hrs.
Delhi Vyapar Mahasangh	1700 hrs.	1745 hrs.
Forum of Delhi Traders Association	1745 hrs.	1800 hrs.

3. A verbatim record of the proceedings was kept.

The Committee then adjourned.

COMMITTEE ON URBAN & RURAL DEVELOPMENT (1997-98)
MINUTES OF THE FIFTH SITTING OF THE COMMITTEE ON
URBAN AND RURAL DEVELOPMENT HELD ON
TUESDAY, THE 30TH SEPTEMBER, 1997

The Committee sat from 11.00 hrs. to 13.00 hrs. in Committee Room 'E', Parliament House Annexe, New Delhi.

PRESENT

Shri Sontosh Mohan Dev — *Chairman*

MEMBERS

Lok Sabha

2. Shri J.P. Aggarwal
3. Shri Surjit Singh Barnala
4. Shri Dilip Singh Bhuria
5. Shri L. Balaraman
6. Shri Kishanlal Diler
7. Shri B. Dharmabiksham
8. Shri Anant G. Geete
9. Shri Shankar Prasad Jaiswal
10. Shri C. Narayanaswamy
11. Dr. B.N. Reddy
12. Shri Ramsajeevan
13. Shri Maruti D. Shelke
14. Shrimati Ketki Singh
15. Shri Chintaman Wanaga
16. Shri Ramakant Yadav

Rajya Sabha

17. Shri Gandhi Azad
18. Shri Nilotpall Basu
19. Shri Jagdambi Mandal
20. Shri Solipeta Ramachandra Reddy

SECRETARIAT

1. Shri S.C. Rastogi — *Director*
2. Shrimati Sudesh Luthra — *Under Secretary*
3. Shri P.V.L.N. Murthy — *Assistant Director*

**Representatives of the Ministry of Urban Affairs & Employment
(Department of Urban Development)**

1. Shri Hemendra Kumar — *Addl. Secretary*
2. Shri S. Banerjee — *Joint Secretary*
3. Shri B.L. Nimesh — *Director (Lands & LSG)*

Representative of the Department of Law & Justice

- Dr. S.D. Singh — *Asstt. Legislative Counsel*

WITNESSES

1. *Common Cause, New Delhi*
Shri H.D. Shourie, Director
2. *Smt. Kiran Wadhwa, Expert*
Chief Economist (HUDCO)
3. *Apex Association of DDA Colony*
 - (i) Shri G.S. Sharma, Chairman
 - (ii) Shri A.S. Sinha, Vice Chairman
 - (iii) Shri N.C. Joshi, Organisation Secretary
 - (iv) Shri S.K. Mahajan, Member
4. *Lajpat Nagar Property Owners Federation*
 - (i) Shri Shailender Shingvi
 - (ii) Shri Kimti Lal
 - (iii) Shri Sunil Chawla
 - (iv) Shri Gopal Bhatia
 - (v) Shri D.R. Puri

2. At the outset, the Chairman welcomed the representatives of the Ministry of Urban Affairs & Employment (Department of Urban Development) and Department of Law & Justice.

3. The Committee took evidence of the following experts/associations on the provisions of the Delhi Rent (Amendment) Bill, 1997 at the time specified against each. Before they were asked to depose before the Committee, the Chairman welcomed them and drew the attention of each of the witnesses to the provisions of direction 58 of the Directions by the Speaker.

	Name	From	To
1.	Shri H.D. Shourie Director, Common Cause	1115 hrs.	1140 hrs.
2.	Smt. Kiran Wadhwa, Expert Chief Economist (HUDCO)	1140 hrs.	1220 hrs.
3.	Apex Association of DDA Colonies	1220 hrs.	1240 hrs.
4.	Lajpat Nagar Property Owners Federation	1240 hrs	1300 hrs

4. A verbatim record of the proceedings was kept.

The Committee then adjourned to meet again at 1500 hrs.

COMMITTEE ON URBAN & RURAL DEVELOPMENT (1997-98)
MINUTES OF THE SIXTH SITTING OF THE COMMITTEE ON
URBAN AND RURAL DEVELOPMENT HELD ON
TUESDAY, THE 30TH SEPTEMBER, 1997

The Committee sat from 15.30 hrs. to 16.35 hrs. in Committee Room 'E', Parliament House Annexe, New Delhi

PRESENT

Shri Sontosh Mohan Dev — *Chairman*

MEMBERS

Lok Sabha

2. Shri Dilip Singh Buria
3. Shri B. Dharmabiksham
4. Shri Anant G. Geete
5. Shri Chayyanna Patrudu
6. Shri Ramsajeevan
7. Shrimati Ketki Singh

Rajya Sabha

8. Shri Gandhi Azad
9. Shri Nilotpal Basu
10. Shri O.P. Kohli
11. Shri Jagdambi Mandal

SECRETARIAT

1. Shri S.C. Rastogi — *Director*
2. Smt. Sudesh Luthra — *Under Secretary*
3. Shri P.V.L.N. Murthy — *Assistant Director*

**Representatives of the Ministry of Urban Affairs & Employment
(Department of Urban Development)**

1. Shri Hemendra Kumar — *Addl. Secretary*
2. Shri S. Banerjee — *Joint Secretary*
3. Shri B.L. Nimesh — *Director (Lands & LSG)*

Representative of the Department of Law & Justice

Dr. S.D. Singh — Asstt. Legislative Counsel

WITNESSES

1. *Communist Party of India (M), Delhi State Committee*

- (i) Shri Jogendra Sharma, Secretary
- (ii) Shri P.S. Grewal, Secretary
- (iii) Shri Manender Singh, State Committee Member
- (iv) Shri Somdutt Sharma, Convenor of Legal Cell

2. *Delhi Pradesh Bhartiya Kisan Kamgar Party*

- (i) Shri Yudhveer Singh, President
- (ii) Shri Mauji Ram
- (iii) Shri Rijak Ram
- (iv) Shri Mangat Ram

2. The Committee took evidence of the following political parties on the provisions of the Delhi Rent (Amendment) Bill, 1997 at the time specified against each. Before they were asked to depose before the Committee, the Chairman welcomed them and drew the attention of each of the witnesses to the provisions of direction 58 of the Directions by the Speaker:—

Name	From	To
1. CPI (M), Delhi State Committee	1540	1615
2. Delhi Pradesh Bhartiya Kisan Kamgar Party	1615	1635

3. A verbatim record of the proceedings was kept.

The Committee then adjourned. †

COMMITTEE ON URBAN & RURAL DEVELOPMENT (1997-98)
MINUTES OF THE SEVENTH SITTING OF THE COMMITTEE
ON URBAN AND RURAL DEVELOPMENT HELD ON
WEDNESDAY, THE 1ST OCTOBER, 1997

The Committee sat from 11.00 hrs. to 13.00 hrs. in Committee Room 'E', Parliament House Annexe, New Delhi.

PRESENT

Shri Sontosh Mohan Dev — *Chairman*

MEMBERS

Lok Sabha

2. Shri J.P. Aggarwal
3. Shri Surjit Singh Barnala
4. Shri Dilip Singh Bhuria
5. Shri B. Dharmabiksham
6. Shri Anant G. Geete³²
7. Shri T. Govindan
8. Shri Sankar Prasad Jaiswal
9. Shri Prahalad Singh Patel
10. Shri Basavaraj Rayareddi
11. Dr. B.N. Reddy
12. Shri Ramsajeevan
13. Shrimati Ketki Singh
14. Shri Maurti D. Shelke
15. Shri Chintaman Wanaga
16. Shri Ramakant Yadav

Rajya Sabha

17. Shri Gandhi Azad
18. Shri Nilotpal Basu
19. Shri O.P. Kohli
20. Shri Bhagaban Majhi
21. Shri Solipeta Ramachandra Reddy

SECRETARIAT

1. Shri S.C. Rastogi — *Director*
2. Smt. Sudesh Luthra — *Under Secretary*
3. Shri P.V.L.N. Murthy — *Assistant Director*

**Representatives of the Ministry of Urban Affairs and Employment
(Department of Urban Development)**

1. Shri Hemendra Kumar — *Addl. Secretary*
2. Shri S. Banerjee — *Joint Secretary*
3. Shri B.L. Nimesh — *Director*

Representative of the Department of Law & Justice

- Dr. Raghubir Singh — *Addl. Secretary*

2. At the outset, the Chairman welcomed the representatives of the Ministry of Urban Affairs & Employment (Department of Urban Development) and the Department of Law & Justice to the sitting of the Committee and invited their attention to the provisions of direction 59 of the Directions by the Speaker.

3. The Committee then took evidence of the representatives of the Department of Urban Development on the provisions of the Delhi Rent (Amendment) Bill, 1997.

4. The Committee decided that the Department of Urban Development should be asked to furnish the following information:—

- (i) the written replies to the supplementary list of points and additional List of Points as considered by the Committee at the said sitting;
- (ii) an illustration showing the enhancement of rent in respect of old tenants as per schedule I, Table 1 of the amending Bill, 1997.

5. A verbatim record of the proceedings was kept.

The Committee then adjourned.

COMMITTEE ON URBAN & RURAL DEVELOPMENT (1997-98)

MINUTES OF THE EIGHTH SITTING OF THE COMMITTEE
ON URBAN & RURAL DEVELOPMENT HELD ON
MONDAY, THE 3RD NOVEMBER, 1997

The Committee sat from 1500 hrs. to 1650 hrs. in Committee Room 'E', Parliament House Annexe, New Delhi.

PRESENT

Shri Dilip Singh Bhuria — *in the Chair*

MEMBERS

Lok Sabha

2. Shri L. Balaraman
3. Shri Surjit Singh Barnala
4. Shri Joyanta Bhattacharya
5. Shri Lalmoni Chaubey
6. Shri B. Dharmabiksham
7. Shri Kishanlal Diler
8. Shri Anant G. Geete
9. Shri Shankar Prasad Jaiswal
10. Shri Subrata Mukherjee
11. Shrimati Ketki Singh
12. Shri C. Narayanaswamy
13. Shri D. Venugopal
14. Shri Chintaman Wanaga

Rajya Sabha

15. Shri Nilotpal Basu
16. Shri O.P. Kohli
17. Shri Jagdambi Mandal
18. Shri V. Rajeshwar Rao
19. Shri Solipeta Ramchandra Reddy

SECRETARIAT

1. Shri S.C. Rastogi — *Director*
2. Shrimati Sudesh Luthra — *Under Secretary*

**Representative of the Ministry of Urban Affairs & Employment
(Department of Urban Development)**

Shri S. Banerjee — *Joint Secretary*

Representatives of the Department of Law & Justice

1. Dr. Raghuvir Singh — *Addl. Secretary*
2. Shri N.K. Namboothiry — *Asstt. Legislative Counsel*
3. Dr. S.D. Singh — *Asstt. Legislative Counsel*

WITNESSES

1. *All India Tenants Association, New Delhi*
 - (i) Shri S.N. Mehta — *Advocate*
 - (ii) Shri Kunj Behari
2. *All India Tenants Council, New Delhi*
 - (i) Shri Dev Raj Sharma — *President*
 - (ii) Shri Prem Dhawan — *Vice-President*
 - (iii) Shri B.K. Khanna — *Member*
 - (iv) Ms. Christine Margues — *Member*
3. *Federation of Sadar Bazar Traders Association*
 - (i) Shri M.L. Kumar — *President*
 - (ii) Shri G.C. Gupta — *Working President*
 - (iii) Shri K.C. Kapoor — *Gen. Secretary*
 - (iv) Shri K.L. Nanda — *Senior Vice-President*
 - (v) Shri Brij Mohan Vig
4. *Technocrat*
 - (i) Shri Hans Raj Jain
 - (ii) Shri Gopal Thakral

2. In the absence of the Chairman, the Committee chose Shri Dilip Singh Bhuria to act as Chairman for the sitting under Rule 258 (3) of Rules of Procedure and Conduct of Business in Lok Sabha.

3. Then the Chairman welcomed the representatives of the Ministry of Urban Affairs & Employment (Department of Urban Development) and Department of Law & Justice.

4. The Committee took evidence of the following Tenants/Traders Associations on the provisions of the Delhi Rent (Amendment) Bill, 1997 at the time specified against each. Before they were asked to depose before the Committee, the Chairman welcomed them and drew the attention of each of the witnesses to the provision of direction 58 of the Directions by the Speaker:—

Name	From	To
All India Tenants Association, New Delhi	1510 hrs.	1540 hrs.
All India Tenants Council, New Delhi	1540 hrs.	1600 hrs.
Federation of Sadar Bazar Traders Association	1600 hrs.	1615 hrs.
Shri Hans Raj Jain, Technocrat	1615 hrs.	1630 hrs.

5. A verbatim record of the proceedings was kept.

The Committee then adjourned.

COMMITTEE ON URBAN & RURAL DEVELOPMENT (1997-98)

MINUTES OF THE NINTH SITTING OF THE COMMITTEE
ON URBAN AND RURAL DEVELOPMENT HELD ON
TUESDAY, THE 4TH NOVEMBER, 1997

The Committee sat from 1100 hrs. to 1145 hrs. in Committee
Room 'E', Parliament House Annexe, New Delhi

PRESENT

Shri Dilip Singh Bhuria — *In the Chair*

MEMBERS

Lok Sabha

2. Shri L. Balaraman
3. Shri Surjit Singh Barnala
4. Shri Joyanta Bhattacharya
5. Shri Lalmuni Chaubey
6. Shri Shivraj Singh Chauhan
7. Shri B. Dharmabiksham
8. Shri Kishanlal Diler
9. Shri Anant G. Geete
10. Shri Shankar Prasad Jaiswal
11. Dr. B.N. Reddy
12. Shrimati Ketki Singh
13. Shri C. Narayanaswamy
14. Shri D. Venugopal
15. Shri Chintaman Wanaga

Rajya Sabha

16. Shri Sushil Barongpa
17. Shri Nilotpal Basu
18. Shri O.P. Kohli
19. Shri Bhagaban Majhi
20. Shri Jagdambi Mandal
21. Shri Thennala Balakrishna Pillai
22. Shri Solipeta Ramachandra Reddy
23. Shri Suryabhan Patil Vahadane
24. Shri Khan Gufran Jahidi

SECRETARIAT

1. Shri S.C. Rastogi — *Director*
2. Shrimati Sudesh Luthra — *Under Secretary*

**Representatives of the Ministry of Urban Affairs & Employment
(Department of Urban Development)**

Shri S. Banerjee — *Joint Secretary*

Representatives of the Department of Law & Justice

1. Dr. Raghuvir Singh — *Addl. Secretary*
2. Shri N.K. Namboothiry — *Asstt. Legislative Counsel*
3. Dr. S.D. Singh — *Asstt. Legislative Counsel*

2. In the absence of Chairman, the Committee choose Shri Dilip Singh Bhuria to act as Chairman for the sitting under Rule 258 (3) of Rules of Procedure and Conduct of Business in Lok Sabha.

3. Then the Chairman welcomed the representatives of the Ministry of Urban Affairs & Employment (Department of Urban Development) and Department of Law & Justice.

4. The representatives of Delhi Pradesh Congress Committee (I) and Bharatiya Janata Pary called to give evidence on the provisions of the Delhi Rent (Amendment) Bill, 1997 did not attend the sitting of the Committee. Hence the Committee did not proceed in the matter.

The Committee then adjourned.

APPENDIX VI

MINUTES OF THE SITTINGS OF THE COMMITTEE ON THE SUBJECT HELD DURING 12TH LOK SABHA

COMMITTEE ON URBAN & RURAL DEVELOPMENT (1998-99)

MINUTES OF THE SEVENTEENTH SITTING OF THE COMMITTEE ON URBAN & RURAL DEVELOPMENT HELD ON FRIDAY, THE 14TH AUGUST, 1998

The Committee sat from 1500 hrs. to 1540 hrs. in Room No. 139,
Parliament House Annex, New Delhi.

PRESENT

Shri Kishan Singh Sangwan — *Chairman*

MEMBERS

Lok Sabha

2. Shri Sudip Bandyopadhyay
3. Dr. Shafiqur Rahman Barq
4. Shri Padmanava Behera
5. Shri Sriram Chauhan
6. Shri Shivraj Singh Chouhan
7. Shrimati Malti Devi
8. Shri Ramkrushna Suryabhan Gavai
9. Shri Subhash Maharia
10. Shri Bir Singh Mahato
11. Shri Subrata Mukherjee
12. Shrimati Ranee Narah
13. Shri Rameshwar Patidar
14. Shri Gaddam Ganga Reddy
15. Dr. Y.S. Rajasekhar Reddy
16. Shri Ramjidas Rishudev

17. Shri Chatin Singh Samaon
18. Shri Nikhilananda Sar
19. Shri I.M. Jayaram Shetty
20. Shri Daya Singh Sodhi
21. Shri Vithal Baburao Tupe
22. Dr. Ram Vilas Vedanti
23. Shri K. Venugopal

Rajya Sabha

24. Shrimati Shabana Azmi
25. Shri Nilotpal Basu
26. Dr. M.N. Das
27. Shri N.R. Dasari
28. Shri Onkar Singh Lakhawat
29. Prof. A Lakshmisagar
30. Shri Jagdambi Mandal
31. Shri O.S. Manian
32. Shri Suryabhan Patil Vahadane

SECRETARIAT

1. Shri S.C. Rastogi — *Director*
2. Smt. Sudesh Luthra — *Under Secretary*
3. Shri P.V.L.N. Murthy — *Assistant Director*

**Representatives of Ministry of Urban Affairs & Employment
(Department of Urban Development)**

1. Smt. Kiran Aggarwal, Secretary
2. Shri Hemendra Kumar, Additional Secretary
3. Shri J.P. Murthy, Joint Secretary (H)
4. Shri G.C. Bhandari, Joint Secretary (F)
5. Shri Shiv Raj Asthana, Director (H)

2. At the outset the Chairman welcomed the members and the representatives of the Ministry of Urban Affairs and Employment (Department of Urban Development) and extended them greetings on the eve of 51st Independence Day. He then drew the attention of the representatives of the Ministry to the provisions of the direction 55 (1) of the Directions by the Speaker.

3. The Secretary, Department of Urban Development referring to the DO letter dated 5.8.1998 wherein it was stated that the Delhi Rent (Amendment) Bill, 1997 was pending consideration of the Cabinet, explained to the Committee that the Delhi Rent (Amendment) Bill, 1997 was introduced in Rajya Sabha on 28.7.1997 with the approval of previous Government. After change of the Government the Law Ministry advised them to place the Amending Bill before the new Cabinet for their consideration and approval afresh. Accordingly, the matter had been placed before the Cabinet for their consideration. However, it was yet to be considered by the Cabinet. In view of it they stated that they were not in a position to place the Government views on the Bill before the Committee and requested to defer the evidence on the subject.

The Committee considered the request the Department and agreed to defer further consideration of the said Bill till the decision of the Cabinet was known. They directed the representatives of the Department to keep the Committee informed of the development about the said Bill.

The witnesses then withdrew.

A verbatim record of the proceedings was kept.

The Committee then adjourned to meet again on

***Relevant portions of minutes, not related to the subject have been kept separately.

APPENDIX VII

MINUTES OF THE SITTINGS OF THE COMMITTEE ON THE
SUBJECT HELD DURING 13TH LOK SABHA

COMMITTEE ON URBAN AND RURAL DEVELOPMENT
(1999-2000)

MINUTES OF THE TWENTY FIRST SITTING OF THE
COMMITTEE HELD ON THURSDAY, THE 10TH AUGUST, 2000.

The Committee sat from 1500 hrs. to 1630 hrs. in Committee
Room, 'B', Parliament House Annexe, New Delhi.

PRESENT

Shri Anant Gangaram Geete — *Chairman*

MEMBERS

Lok Sabha

2. Shri Padmanava Behera
3. Shri A. Brahmaiah
4. Shri Swadesh Chakraborty
5. Shri Haribhai Chaudhary
6. Shri Bal Krishna Chauhan
7. Shrimati Hema Gamang
8. Shri Madan Lal Khurana
9. Shri Shrichand Kriplani
10. Shri Bir Singh Mahato
11. Shri Purnu Lal Mohale
12. Dr. Ranjit Kumar Parja
13. Shri Ramchandra Paswan
14. Prof. (Shrimati) A.K. Premajam
15. Shri Nikhilananda Sar
16. Shri Maheshwar Singh
17. Shri Sunder Lal Tiwari
18. Shri Chintaman Wanaga

Rajya Sabha

19. Shri S. Agni Raj
20. Shrimati Shabana Azmi
21. Shri Faqir Chand Mullana
22. Shri N.R. Dasari
23. Shri C. Apok Jamir
24. Shri Man Mohan Samal
25. Shri Solipeta Ramachandra Reddy

SECRETARIAT

- | | | |
|---------------------------|---|-------------------------|
| 1. Shri P.K. Grover | — | <i>Deputy Secretary</i> |
| 2. Shrimati Sudesh Luthra | — | <i>Under Secretary</i> |

Representatives of Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)

- | | | |
|-------------------------------------|---|-----------------------|
| 1. Shri Ashok Pahwa | — | Secretary (UD) |
| 2. Dr. (Shrimati) Nivedita P. Haran | — | Joint Secretary (D&L) |

Representatives of the Ministry of Law, Justice and Company Affairs

- | | | |
|-------------------------|---|---|
| 1. Shrimati Sushma Jain | — | Joint Secretary and Legislative Counsel, Legislative Department |
| 2. Shri R.I. Koli | — | Joint Secretary and Legal Adviser, Department of Legal Affairs |

2. At the outset the Chairman, welcomed Shri Shrichand Kriplani, M.P., Lok Sabha who had been nominated as a member of the Committee, w.e.f. 3rd August, 2000. He then welcomed the representatives of the Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) and drew their attention to the provisions of direction 55(1) of the Directions by the Speaker. He also welcomed the representatives of the Ministry of Law, Justice and Company Affairs to the sitting of the Committee.

3. The Committee then took the evidence of the representatives of the Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) on the provisions of the Delhi Rent (Amendment) Bill, 1997.

4. A verbatim record of the proceedings was kept.

The Committee then adjourned.

COMMITTEE ON URBAN AND RURAL DEVELOPMENT
(1999-2000)

MINUTES OF THE TWENTY-FOURTH SITTING OF THE
COMMITTEE HELD ON MONDAY, THE 4TH DECEMBER, 2000.

The Committee sat from 1500 hrs. to 1545 hrs. in Committee Room 'B', Ground Floor, Parliament House Annexe, New Delhi.

♦ PRESENT

Shri Anant Gangaram Geete — *Chairman*

MEMBERS

Lok Sabha

2. Shri Padmanava Behera
3. Shri Swadesh Chakraborty
4. Shri Haribhai Chaudhary
5. Shri Bal Krishna Chauhan
6. Shri Chinmayanand Swami
7. Shri Holkhomang Haokip
8. Shri Babubhai K. Katara
9. Shri Bir Singh Mahato
10. Dr. Ranjit Kumar Panja
11. Shri Rajesh Ranjan
12. Shri Maheshwar Singh
13. Shri Sunder Lal Tiwari

Rajya Sabha

14. Shrimati Shabana Azmi
15. Shri Karnendu Bhattacharjee
16. Shri Faqir Chand Mullana
17. Shri Onward L. Nongtdu

SECRETARIAT

- | | | |
|---------------------------|---|-------------------------|
| 1. Shri S.C. Rastogi | — | <i>Joint Secretary</i> |
| 2. Shri P.K. Grover | — | <i>Deputy Secretary</i> |
| 3. Shrimati Sudesh Luthra | — | <i>Under Secretary</i> |

Representatives of the Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)

1. Shri N.N. Mookerjee, Secretary
2. Shri Madhukar Gupta, Joint Secretary (D&I.)
3. Shri S.K. Singh, Director (LSC)

Representatives of Ministry of Law, Justice and Company Affairs

1. Shrimati Sushma Jain, Joint Secretary and Legislative Counsel, Legislative Department
2. Shri R.L. Koli, Joint Secretary and Legal Adviser, Department of Legal Affairs

2. At the outset, the Chairman welcomed the members to the sitting of the Committee. He also welcomed the officers from the Ministries of Urban Development and Poverty Alleviation (Department of Urban Development) and Law, Justice and Company Affairs present at the sitting to assist the Committee.

3. The Committee considered clause 2 of the Delhi Rent (Amendment) Bill, 1997 and after some discussion, agreed to the proposed amendment.

4. Thereafter the Committee considered clause 3 of the amending Bill and after discussing in detail endorsed the same. However, the Committee felt that for the convenience of landlords as well as tenants, the procedure for making tenancy agreement between the landlord and the tenant and the format for such agreement should specifically be prescribed under the rules to be framed by the Central Government and section 4 should specifically mention that the agreement to be made in writing should be in the manner and form prescribed under the rules. This should also suitably be incorporated in Section 81 of the Principal Act.

5. Thereafter the Committee decided to resume the discussion on the remaining clauses of the said Bill in the next sitting of the Committee.

*The Committee then adjourned to meet again on
Tuesday the 5th December, 2000.*

COMMITTEE ON URBAN AND RURAL DEVELOPMENT
(1999-2000)

MINUTES OF THE TWENTY-FIFTH SITTING OF THE
COMMITTEE HELD ON TUESDAY, THE 5TH DECEMBER, 2000.

The Committee sat from 1500 hrs. to 1645 hrs. in Committee Room 'A', Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Shri Anant Gangaram Geete — *Chairman*

MEMBERS

Lok Sabha

2. Shri Jaswant Singh Bishnoi
3. Shri A. Brahmanaiah
4. Shri Swadesh Chakraborty
5. Shri Haribhai Chaudhary
6. Shri Bal Krishna Chauhan
7. Shri Babubhai K. Katara
8. Shri Madan Lal Khurana
9. Shri Bir Singh Mahato
10. Dr. Ranjit Kumar Panja
11. Shri Maheshwar Singh
12. Shri D. Venugopal

Rajya Sabha

13. Shrimati Shabana Azmi
14. Shri Kamendu Bhattacharjee
15. Shri Onward L. Nongtdu

SECRETARIAT

1. Shri S.C. Rastogi — *Joint Secretary*
2. Shri P.K. Grover — *Deputy Secretary*
3. Shrimati Sudesh Luthra — *Under Secretary*

Representatives of the Ministry of Urban Development and Poverty Alleviation (Department of Urban Development)

1. Shri N.N. Mookerjee, Secretary
2. Shri Madhukar Gupta, Joint Secretary (D&L)
3. Shri S.K. Singh, Director (LSG)

Representatives of Ministry of Law, Justice and Company Affairs

1. Shrimati Sushma Jain, Joint Secretary and Legislative Counsel, Legislative Department
2. Shri R.L. Koli, Joint Secretary and Legal Adviser, Department of Legal Affairs

2. The Committee resumed the clause by clause consideration of the Delhi Rent (Amendment) Bill, 1997. They considered in detail the proposed amendment as per clause 4 of the Bill. The representatives of the Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) and Law, Justice and Company Affairs present at the sitting clarified the queries of members in this regard. Taking a balanced view of the interests of landlords and tenants, the Committee felt that the proposed period of inheritance for non-residential premises in case the tenant is an individual should be increased from 3 years to 5 years.

3. Thereafter the Committee considered clauses 5 to 10 of the amending Bill one by one and after detailed discussion on the provisions contained in the said clauses agreed to the proposed amendments.

4. Thereafter the Committee decided to resume discussion on remaining clauses of the said Bill in the next sitting of the Committee.

*The Committee then adjourned to meet [^]again on
Wednesday, the 6th December, 2000.*

COMMITTEE ON URBAN AND RURAL DEVELOPMENT (1999-2000)

MINUTES OF THE TWENTY-SIXTH SITTING OF THE
COMMITTEE HELD ON WEDNESDAY,
THE 6TH DECEMBER, 2000.

The Committee sat from 1500 hrs. to 1545 hrs. in Committee Room 'A', Ground Floor, Parliament House Annexe, New Delhi.

PRESENT

Shri Anant Gangaram Geete — *Chairman*

MEMBERS

Lok Sabha

2. Shri Padmanava Behera
3. Shri Swadesh Chakraborty
4. Shri Haribhai Chaudhary
5. Shri Bal Kirshna Chauhan
6. Shri Cinmayanand Swami
7. Shrimati Hema Gamang
8. Shri Hokhomang Haokip
9. Shri Madan Lal Khurana
10. Shri P.R. Kyndiah
11. Shri Bir Singh Mahato
12. Dr. Ranjit Kumar Panja
13. Shri Dharam Raj Singh Patel
14. Prof. (Shrimati) A.K. Premajam
15. Shri Sunder Lal Tiwari
16. Shri Chintaman Wanaga

Rajya Sabha

17. Shrimati Shabana Azmi
18. Shri Faqir Chand Mullana
19. Shri Man Mohan Samal
20. Shri A. Vijaya Raghavan

SECRETARIAT

- | | | |
|---------------------------|---|-------------------------|
| 1. Shri S.C. Rastogi | — | <i>Joint Secretary</i> |
| 2. Shri P.K. Grover | — | <i>Deputy Secretary</i> |
| 3. Shrimati Sudesh Luthra | — | <i>Under Secretary</i> |

**Representatives of the Ministry of Urban Development and
Poverty Alleviation (Department of Urban Development)**

1. Shri N.N. Mookerjee, Secretary
2. Shri Madhukar Gupta, Joint Secretary (D&L)
3. Shri S.K. Singh, Director (LSC)

**Representatives of Ministry of Law,
Justice and Company Affairs**

1. Shrimati Sushma Jain, Joint Secretary and Legislative Counsel, Legislative Department
2. Shri R.L. Koli, Joint Secretary and Legal Adviser, Department of Legal Affairs

2. The Committee resumed clause by clause consideration of the Delhi Rent (Amendment) Bill, 1997. They considered clauses 11 and 12 of the Bill and agreed to the same.

3. The Committee found that as per the amending Bill, the Delhi Rent Act, 1995 would be applicable to residential and non-residential premises where rent does not exceed Rs. 3500 per mensem. The Committee discussed in detail the said provision contained in the Principal Act and observed that the limit of Rs. 3500 for applicability of the Delhi Rent Act was fixed during 1988 as per the Delhi Rent Control (Amendment) Act, 1988 and since then there had been no revision in the said limit. Besides, the Committee also felt that by the revision of rent as per the formula proposed in Schedule-I to the amending Bill, a large number of tenancies would be out of the purview of the said Act and as such felt that the said limit should be increased at least to Rs. 5000 per mensem.

4. Thereafter the Committee considered clause 13 of the Bill and after having the provisions contained in the Bill clarified by the representatives of the Ministry of Urban Development and Poverty Alleviation (Department of Urban Development) and Law, Justice and Company Affairs suggested that in view of the decision taken at their sitting held on the 4th December, 2000 regarding the tenancy agreement to be in writing, clause 13 of the amending Bill should be modified accordingly.

5. The Committee then considered the remaining clauses of the Bill one by one and after some discussion agreed to the provisions contained in the said clauses of the Bill.

The Committee then adjourned.

COMMITTEE ON URBAN AND RURAL DEVELOPMENT
(1999-2000)

MINUTES OF THE TWENTY-SEVENTH SITTING OF THE
COMMITTEE HELD ON MONDAY, THE 18TH DECEMBER, 2000.

The Committee sat from 1500 hrs. to 1545 hrs. in Committee Room 'E', Basement, Parliament House Annexe, New Delhi.

PRESENT

Shri Anant Gangaram Geete—*Chairman*

MEMBERS

Lok Sabha

2. Shri Mani Shankar Aiyar
3. Shri Padmanava Behera
4. Shri Jaswant Singh Bishnoi
5. Shri A. Brahmanaiiah
6. Shri Swadesh Chakrabortty
7. Shri Chinmayanand Swami
8. Shrimati Hema Gamang
9. Shri Madan Lal Khurana
10. Shri Shrichand Kriplani
11. Dr. Ranjit Kumar Panja
12. Shri Chandresh Patel
13. Prof. (Shrimati) A.K. Premajam
14. Shri Nikhilananda Sar
15. Shri Sunder Lal Tiwari

Rajya Sabha

16. Shrimati Shabana Azmi
17. Prof. A. Lakshmisagar
18. Shri Man Mohan Samal
19. Shri Suryabhan Patil Vahadane
20. Shri A. Vijaya Raghavan

SECRETARIAT

1. Shri S.C. Rastogi - *Joint Secretary*
2. Shri P.K. Grover - *Deputy Secretary*

2. At the outset, the Chairman welcomed the members to the sitting of the Committee.

3. The Committee then took up for consideration the draft Report on the Delhi Rent (Amendment) Bill, 1997.

4. After some discussion the Committee adopted the draft Report on the Delhi Rent (Amendment) Bill, 1997 with the following modification:

page 7,	para 2.5,	line 6,
for "Rs. 5000"	substitute	"Rs. 7500"

5. The Committee then authorised the Chairman to finalise the Report after getting it factually verified from the concerned Ministry and present the same to the Houses of Parliament.

The Committee then adjourned.

for "Rs. 5000" substitute "Rs. 7500"

5. The Committee then authorised the Chairman to finalise the Report after getting it factually verified from the concerned Ministry and present the same to the Houses of Parliament.

The Committee then adjourned.

APPENDIX VIII

STATEMENT SHOWING THE LIST OF ASSOCIATION/INDIVIDUALS/
EXPERTS WHO HAVE TENDERED EVIDENCE BEFORE THE
COMMITTEE ON URBAN AND RURAL DEVELOPMENT
ON THE DELHI RENT (AMENDMENT) BILL, 1997
DURING 11TH LOK SABHA

Sitting No.	Date (Day)	Association	Representatives
1	2	3	4
3rd (11th L.S.)	29.09.1997 (Monday) 1100 hrs. to 1340 hrs.	1. House Owners Welfare Association, Kamla Nagar	(i) Shri N.S. Jain, (ii) Shri C.B. Aggarwal
		2. Society for Fair Laws and Justice	(i) Shri D.S. Bawa, (ii) Shri Hari Chand.
		3. Delhi House Owners Forum, Vasant Vihar	(i) Shri K.L. Rahee, (ii) Shri S.L. Jain.
		4. House Owners Association, Karol Bagh	(i) Shri Yoginder Singh, (ii) Shri Kailash C. Jain.
		5. Delhi House Owners Association, Sukhdev Vihar	(i) Shri Rajinder Kumar Tanwar, (ii) Shri Mangat Ram Tanwar
		6. Old Delhi House Owners Association	(i) Shri Praveen C. Jain, (ii) Shri Rajiv Jain.
4th (11th L.S.)	29.09.1997 (Monday) 1500 hrs. to 1800 hrs.	1. Delhi Slum Area Kirayedar Association	(i) Shri Satish C. Sharma, (ii) Shri Surender K. Gupta.
		2. New Delhi Traders Association	(i) Shri M.M. Aggarwal, (ii) Shri R.R. Sood.
		3. Liberty Institute, New Delhi	(i) Ms. Asha Puri.
		4. Delhi Vyapar Mahasangh	(i) Shri M.L. Kumar, (ii) Shri Padam C. Gupta.
		5. Forum of Delhi	(i) Shri Satinder Jain,

1	2	3	4
6th (11th L.S.)	30.09.1997 (Tuesday) 1530 hrs. to 1635 hrs.	1. Communist Party of India (M), Delhi State Committee 2. Delhi Pradesh Bhartiya Kisan Kamgar Party	(i) Shri Jogendra Sharma, (ii) Shri P.S. Grewal. (i) Shri Yudhveer Singh, (ii) Shri Mauji Ram.
8th (11th L.S.)	03.11.1997 (Monday) 1500 hrs. to 1650 hrs.	1. All India Tenants Association, New Delhi 2. All India Tenants Council, New Delhi 3. Federation of Sadar Bazar Traders Association 4. Technocrats	(i) Shri S.N. Mehta, (ii) Shri Kunj Behari. (i) Shri Dev Raj Sharma, (ii) Shri Prem Dhawan. (i) Shri M.L. Kumar, (ii) Shri G.C. Gupta. (i) Shri Hans Raj Jain, (ii) Shri Gopal Thakral.