

East Punjab Urban Rent Restriction (Amendment) Act, 1956

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Act 29 of 1956

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East Punjab Urban Rent Restriction (Amendment) Act, 1956 Punjab Act No. 29 of 1956 Statement of Objects and Reasons of the East Punjab Urban Rent Restriction (Amendment) Act (Act 29 of 1956). - Under the Ajmer Merwara Rent Control Act, 1947, tenants of urban property cannot be ejected except from residential buildings and that too for bona fide personal use. This Act applies to Delhi city also where tenants of commercial or industrial premises cannot be ejected on the ground of personal use. In the Punjab, however, such tenants can be ejected on various grounds including that of personal use. This entails a great hardship on such tenants. The provision allowing eviction on the ground of personal use has been misused by certain landlords and there have been many complaints and representations on behalf of the tenants to amend the East Punjab Urban Rent Restriction Act, 1947. It is, therefore, considered necessary that the tenants of non-residential property in the Punjab should at least be placed at par with tenants of such property in Delhi and other urban areas covered by the Delhi Ajmer Act. Another object of this Bill is to provide for revision by the High Court in respect of the orders of the Appellate Authority. Punjab Gazette Extraordinary 1956, page 1145. Received the assent of the Governor of Punjab on the 20th September 1956 and was published in the Punjab Gazette, Extraordinary, dated the 24th September, 1956. An Act to amend the East Punjab Urban Rent Restriction Act (East Punjab Act No. 3 of 1949). Be it enacted by the Legislature of the State of Punjab in the seventh Year of the Republic of India as follows :-

1. Short title.

- This Act may be called the East Punjab Urban Rent Restriction (Amendment) Act, 1956.

2. Amendment of section 13 of East Punjab Act III of 1949.

- In clause (a) of sub-section (3) of section 13 of the East Punjab Urban Rent Restriction Act, 1949, hereinafter referred to as the principal Act -(i)(a) In sub clause (i), the words "or a schedule" shall be

omitted.(b)In sub-paragraph (b), the words "or a schedule" and the words "as the case may be" shall be omitted.(ii)(a)In sub-clause (ii) the words "a non-residential building or" shall be omitted.(b)In sub-paragraph (b), the words "building or" and the words "as th case may be" shall be omitted.(c)In sub-paragraph (c), the words "a building or" shall be omitted.(iii)For sub-clause (iii), the following shall be substituted, namely :-"(iii) In the case of any building or rented land, if he requires it to carry out any building work at the instance of the Government or local authority or any Improvement Trust under some improvement or development scheme or if it has become unsafe or unfit for human habitation."(iv)In sub-clause (iv), for the words "any building", where they first occur, the words" any residential building" shall be substituted.(v)In the second proviso, for the words "a residential, a scheduled or non-residential building or rented land," the words "a residential building or rented land" shall be substituted.

3. Amendment of section 15 of East Punjab Act III of 1949.

- In section 15 of the principal Act -(i)to clause (b) of sub-section (I), the following words shall be added, namely :-"In computing the period of fifteenth days the time taken to obtain a certified copy of the order appealed against shall be excluded."(ii)In sub-section (4), for the words "whether in a suit or other proceedings by way of appeal or revision," the words "except as provided in sub-section(5) of this section" shall be substituted.(iii)After sub-section (4) the following sub-section shall be inserted, namely :-"(5) The High Court may, at any time, on the application of any aggrieved party or in its own motion, call for and examine the records relating to any order passed or proceedings taken under this Act for the purpose of satisfying itself as to the legality or propriety of such order or proceedings and may pass such order in relation thereto as it may deem fit."