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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on 14th July, 1992:—

BILL No. 103 OF 1992

A Bill further to amend the Constitution of India.

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

1. (1) This Act may be called the Constitution (Seventy-seventh Amendment) Act, 1992.

Short
title
and
com-
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ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. In article 323B of the Constitution, in clause (2),—

Amend-
ment of
article.
323B.

(a) sub-clauses (h) and (i) shall be re-lettered as sub-clauses (i) and (j), and before sub-clause (i), as so re-lettered, the following sub-clause shall be inserted, namely:—

“(h) rent, its regulation and control and tenancy issues including the right, title and interest of landlords and tenants;”;

(b) in sub-clause (i), as so re-lettered, for the brackets and letter “(g)”, the brackets and letter “(h)” shall be substituted;

(c) in sub-clause (j), as so re-lettered, for the brackets and letter “(h)”, the brackets and letter “(i)” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The operation of the Rent Control Legislations, as are today in various States, suffers from major weaknesses and has led to various unintended consequences. Some of the deleterious legal consequences include mounting and unending litigation, inability of the courts to provide timely justice, evolution of practices and systems to bypass the operations of rent legislations and steady shrinkage of rental housing market.

2. The Supreme Court, taking note of the precarious state of rent litigation in the country, in the case of *Prabhakaran Nair and others Vs. State of Tamil Nadu* (Civil Writ Petition 506 of 1986 and other writs) observed that the Supreme Court and the High Courts should be relieved of the heavy burden of rent litigation. Tiers of appeals should be curtailed. Laws should be simple, rational and clear. Litigations must come to end quickly. The idea of a National Rent Tribunal on an all-India basis with quicker procedure should be examined.

3. It is proposed to amend article 323B in Part XIVA of the Constitution so as to give timely relief to the rent litigants by providing for setting up of State-level Rent Tribunals in order to reduce the tiers of appeals and to exclude the jurisdiction of all courts, except that of the Supreme Court, under article 136 of the Constitution.

4. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;

SHEILA KAUL.

The 25rd June, 1992.