

**Himachal Pradesh Urban Rent Control (Amendment) Act,
1978**

23 of 1978

[10 May 1978]

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**Himachal Pradesh Urban Rent Control (Amendment) Act,
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An Act further to amend the Himachal Pradesh Urban Rent Control Act, 1971 (Act No. 23 of 1971).

It is hereby enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-ninth Year of the Republic of India as follows;-

1. Short title and commencement :-

(1) This Act may be called the Himachal Pradesh Urban Rent Control (Amendment) Act, 1978.

(2) It shall come into force at once.

2. Amendment of section 2 :-

For existing clause (d) of section 2 of the Himachal Pradesh Urban Rent Control Act, 1971 (23 of 1971) (herein after called the principal Act), the following clause (d) shall be substituted, namely:-

"(d) "non-residential building" means a building being used,-

(i) mainly for the purpose of business or trade; or

(ii) partly for the purpose of business or trade and partly for the purpose of residence, subject to the condition that the person who

carries on business or trade in the building resides there:

Provided that if a building is let out for residential and non-residential purpose separately to more than one person, the portion thereof let out for the purpose of residence shall not be treated as a non-residential building.

Explanation---Where a building is used mainly for the purpose or business or trade, it shall be deemed to be a non-residential building even though a small portion thereof is used for the purpose of residence."

3. Addition of section 29 :-

After section 28 of the principal Act, the following section 29, alongwith its heading, shall be added, namely:-

"29. Special provisions relating to certain proceedings.- Notwithstanding anything to the contrary contained in this Act, the provisions of clause (d) of section 2 as; as amended by the Himachal Pradesh Urban Kent Control (Amendment) Act, 1978 (9 of 1978) shall apply to all proceedings, under the East Punjab Urban Rent Restriction Act, 1942 (3 of of 1949), or under this Act, pending, at the commencement of the said amendment, before a Rent Controller an appellate authority or the High Court exercising revisional jurisdiction".