

## **Kerala Buildings (Lease And Rent Control) Amendment Act, 1972**

### **2 of 1973**

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An Act further to amend the Kerala Buildings (Lease and Rent Control) Act, 1965. WHEREAS it is expedient further to amend the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) for the purposes hereinafter appearing; BE it enacted in the Twenty-third Year of the Republic of India as follows:-

#### **1. Short Title :-**

- (1) This Act may be called the Kerala Buildings (Lease and Rent Control) Amendment Act, 1972.
- (2) It shall come into force at once.

#### **2. Amendment Of Section 11 :-**

In section 11 of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) (hereinafter referred to as the principal Act), in clause (i) of sub-section (4), before the Explanation, the following proviso shall be inserted, namely:-

"Provided that an application under this clause shall not be made for the first time in respect of one and the same tenancy unless the landlord has sent a registered notice to the tenant intimating the contravention of the said condition of the lease and the tenant has failed to terminate the transfer or the sub-lease, as the case may be, within thirty days of the receipt of the notice or the refusal thereof".

### **3. Amendment Of Section 13 :-**

In section 13 of the principal Act, after sub-section (5), the following sub-section shall be inserted, namely :-

"(6) (a) A tenant or landlord aggrieved by an order passed by the Accommodation Controller under this section may within thirty days from the date of receipt of such order prefer an appeal in writing to the District Collector within whose jurisdiction the building in respect of which the order appealed against is passed is situate and he shall pass such orders on the appeal as he may deem fit.

(b) The District Collector shall have the powers vested in a Civil Court under the Code of Civil Procedure, 1908 (5 of 1908) when trying a suit in respect of the matters specified in clauses (a) to (k) of sub-section (1) of section 23, for the purpose of disposing of an appeal under this sub-section".