
HYDERABAD HOUSES (RENT, EVICTION AND LEASE) CONTROL RULES, 1954

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HYDERABAD HOUSES (RENT, EVICTION AND LEASE) CONTROL RULES, 1954

In exercise of the powers conferred by Section 30 of the Hyderabad House (Rent, Eviction and Lease) Control Act, 1954 (XX of 1954) the Rajpramukh hereby makes the following rules namely:-

1. Short title commencement and extent :-

(1) These rules may be called the Hyderabad (Rent, Eviction and Lease) Control Rules, 1954.

(2) They shall come into force from the date of their publication in the Official Gazette in such of the areas.

2. Definitions :-

(1) In these rules, unless there is anything repugnant in the subject or context

(a) "Act" means the Hyderabad House (Rent, Eviction and Lease) Control Act, 1954 (XX of 1954);

(b) "Form" means form appended to these rules;

(c) "Section" means a section of the Act.

(2) Words and expressions used in these rules but not defined therein shall have the meaning assigned to them in the Act.

3. Notice of vacancy by the landlord :-

(1) Every notice under sub-section (2) of Section 3 shall be given by a landlord in Form I.

(2) The Controller's order under sub-section (3) of Section 3 shall be in Form II.

4. Deposit of Rent, under Section 9 :-

(1) The deposit of rent under sub-section

(1) of Section 9 may be made in the office of the Controller, either by the tenant himself - if the amount does not exceed Rs. 1007- by any other person on his behalf The deposit shall be made in Form III and be accompanied by a challan, in triplicate, furnishing the particulars referred to, in the said Form.

(2) Where the amount exceeds Rs. 100/- such deposit shall be made by means of challan either in the Hyderabad State Bank or in the nearest Government Treasury.

(3) Where the amount is deposited in the Hyderabad State Bank or in the Government Treasury, the Officer-in-charge of the Bank or Treasury, as the case may be ; shall forward forthwith one copy of the challan to the Controller and retain one copy for its record ; and the third copy of the challan shall be made over to the party depositing the amount.

5. Notice to deposit :-

On receipt of the deposit or a copy of the Challan under Rule 4 together with necessary postal charges from the tenant, the Controller shall, under sub-section (2) of Section 9 cause a notice of the same, along with a copy of the application regarding the deposit, to be sent by registered post with acknowledgment due to the person whom the rent was last paid, as also the person or persons, who are mentioned in the challan referred to in sub-rule (1) of Rule 4. The notice of deposit shall be in Form IV.

6. Withdrawal of the deposit :-

For withdrawal of rent deposited under sub-section (1) of Section

9, the landlord shall, in person or by pleader, file an application in Form V together with the copy of the notice received by him under subsection

(2) of Section 9, or a duplicate copy of the challan. In case the application is filed by the landlord personally, the Controller, shall order the payment of the amount to him, provided he is identified to the satisfaction of the Controller.

7. Manner of payment of fines etc :-

(1) The Controller shall issue a notice of demand in Form VI to the person on whom a fine is imposed or who has been ordered to pay any sum under the Act.

(2) The fine or other sum ordered to be paid under the Act, shall be paid by such person in cash in the office of the Controller who shall remit the same to the Hyderabad State Bank or to the Treasury under the appropriate Head.

(3) Any cost awarded by the Controller, shall in default of payment under sub-rule (2) be added to or set-off against, as the case may be, the rent for the month or months following the month in which the order awarding the cost was made :

Provided that where the Controller holds that there is no relationship of landlord and tenant between the parties any cost awarded by the Controller shall, in default of payment under sub-rule (2) be realizable, by execution of the order of the Controller awarding the cost.

8. Manner of services of notices :-

All notices shall ordinarily be served by registered post with acknowledgment due, and when this cannot be effected or is not feasible in such or other form as the Controller may deem fit in the circumstances of the case.

9. Court fees and process fees, etc :-

The following Court fees, process, process fees and other fees shall be leviable in all cases before the Rent Controller :-

10. Court fees on appeal and revision :-

The fees payable for applications, processes, etc., in the Court on appeals and revision petitions under Sections 20 and 21 respectively shall be fees chargeable in those Courts in such proceedings.

11. Payment of Court- fees in Court-fee stamps :-

The fees and the process fees referred to in these rules shall, unless otherwise provided, be paid in Court fee Stamps :

Provided that when rent is deposited in the Hyderabad State Bank, the process fees shall be deposited in cash along with rent.

12. Notice; conversion of residential house into non-residential house :-

On receiving a complaint or information under Section 11, the Controller shall, after issuing notice to the parties make a summary enquiry and after hearing the parties, decide the matter.

13. Interim order :-

On receiving a complaint from a tenant under sub-section (2) of Section 12, the Controller shall after issuing notice to the landlord, and making such enquiry as he may consider necessary pass an interim order which shall be communicated to the landlord in Form VII.

14. Calling for particulars :-

The Controller may by giving notice to any landlord or tenant, in Form VIII under Sections 25 and 27 call for such particulars with regard to a house as may be relevant to the enquiry.

15. Inspection of any premises :-

(1) When the Controller deems it necessary to inspect the premises in respect of which an application has been made or any other premises, for fixing fair rent, for ascertaining prevailing rates of rent under Sections 4 and 27, a notice shall be served on the person occupying the premises in Form IX.

(2) The party at whose instance the inspection is made, shall deposit in the Hyderabad State Bank or in the Government Treasury travelling expenses of the Controller at the rate of Rs. 1.50 per mile for the to and fro journey to the premises to be inspected.