

**COPY OF GOVERNMENT LETTER No. 1540-7/E2/79/PW DATED 22-02-1980 ADDRESSED TO THE DEPUTY SECRETARY TO THE GOVERNMENT OF INDIA, MINISTRY OF DEFENCE, NEW DELHI.**

Sir,

**Sub : Legal protection to Serving/Ex-service personnel and their dependents to get their rented house vacated by tenants.**

**Ref : Your letter No. F1(1) 76/D(Res) Vol. II dated 17-05-1979.**

With reference to the letter cited\, I am directed to inform you that this Government had already inserted a new section (11 A) in the Kerala Buildings (Lease & Rent Control) Act. 1965 by the Kerala Buildings (Lease & Rent Control Act 1973 (16 of 1974) for the purpose. Copies of the amendments act were forwarded to the Government of In dia in the Ministries of Law (12 copies) and Home Affairs (1 copy) and the Deputy Legal Advisor to Government of India. Department of legal Affairs, Branch Secretariat. Rasheed Mansions 123-C, Mount Road, Madras – 6 (2 Copies) with this Government's letter No. 11316/F1/73/Law dated 4-6-1974. A copy of the same is herewith forwarded for ready reference.

**// True copy//**

**Sd/-**

# THE KERALA BUILDINGS (LEASE AND RENT CONTROL)

## AMENDMENT ACT, 1973 [1]

(Act 16 of 1974)

*An Act further to amend the Kerala Buildings (Lease and Rent Control) Act, 1965*

*Preamble* .-WHEREAS it is expedient further to amend the Kerala Buildings (Lease and Rent Control) Act, 1965 for the purpose hereinafter appearing;

BE it enacted in the Twenty-fifth Year of the Republic of India follows:-

1. *Short Title* .-This Act may be called the Kerala Buildings (Lease and Rent Control) Amendment Act, 1974

2. *Insertion of new section 11A* .- After section 11 of the Kerala Buildings (Lease and Rent Control) Act , 1965 (2 of 1965), the following section shall be inserted, namely:-

" 11A. *Special provisions for the members of the Armed Forces* .-Notwithstanding anything contained in section 11, in the case of a residential building where the landlord is a member of the Armed Forces of the Union of India and the building is required for the occupation of himself on his release from service, and he makes an application for eviction of the tenant to the Rent Control Court, or where on the occurrence of death in action of a member of the Armed Forces, a member of his family requires recovery of possession of the building for his own residence or where on the posting of a member of the Armed Forces to serve under special conditions, a member of his family requires recovery of possession of the building for his own residence and application is made to the Rent Control Court for eviction of the tenant the Rent Control Court shall dispose of the same, as far as may, be within one month, and if the claim of the landlord or member of his family accepted, the court shall make an order directing the tenant to put the landlord or the member of his family as the case may be, in possession of building on a date to be specified in the order, and such date shall not later than fifteen days from the date of the order:

Provided that an application under this section for recovery of possession of a building on the ground that the landlord is serving under special conditions of service shall not be entertained by the Rent Control Court unless the same is accompanied by a certificate of prescribed authority referred to in section 7 of the Indian Soldiers Litigation) Act, 1925 (Central Act 4 of 1925) that the landlord is serving under special conditions within the meaning of section 3 of the said Act.

*Explanation* .-For the purpose of this section, "family" shall mean such relations of the landlord as ordinarily live with him and are depended on him".

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