



THE KARACHI RENT RESTRICTION ACT, 1953



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THE KARACHI RENT RESTRICTION ACT, 1953

¹ACT NO. VIII OF 1953

[15th April, 1953]

An Act to make certain provisions regarding accommodation, whether residential or non-residential, furnished or unfurnished, in the ²[Karachi Division].

WHEREAS it is expedient to make certain provisions regarding accommodation, whether residential or non-residential, furnished or unfurnished, in the ²[Karachi Division], and in particular to provide for controlling the rents chargeable for such accommodation and for preventing eviction in certain cases ;

It is hereby enacted as follows:—

1. Short title, extent and commencement.—(1) This Act may be called the Karachi Rent Restriction Act, 1953.

(2) It extends to the ²[Karachi Division].

(3) It shall come into force at once.

¹ For Statement of Objects and Reasons, see Gaz. of P., 1953, Pt. IX 85.

The Chief Commissioner of Karachi has been authorised to exercise the powers and discharge the functions of the Central Government under section 2 (4) (b) (i) and section 3 of this Act, see Gaz. of P., 1953, Pt. I, p. 176.

This Act has been repealed in its application to areas other than Cantonment areas by the West Pakistan Ordinance No. 38 of 1962, s. 3 (1) (with effect from the 1st July, 1963), see Gazette of West Pakistan, 1963, Ext., P. 2889.

² Subs. by A.O., 1964, Art. 2 and Sch., for "Federal Territory of Karachi" which had been subs. by the Repealing and Amending Ordinance, 1961 (1 of 1961), s. 3 and 2nd Sch., for "Capital of the Federation".

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,—

¹[(1) “Controller” means a judicial officer who is appointed by the Provincial Government to perform the functions of a Controller under this Act;]

(2) “fair rent” means—

(a) in relation to residential premises constructed before the 15th day of August, 1947,—

(i) the rent at which the premises were let on the first day of December 1941, or where they were not let on that date, the rent at which they were last let before that date, with the addition, in either of the foregoing cases, of the permitted increase ; or

(ii) in the case of any premises let under a lease for a period of five years or upwards commencing on or before the first day of January 1937, which has expired after the first day of December, 1941, the rent fixed by such lease for the period including the first day of December, 1941, with the addition of the permitted increase ; or

¹ Subs. by the Karachi Rent Restriction (Amdt.) Ordinance, 1962 (48 of 1962), s. 2, for the original clause.

- (iii) in any of the cases specified in section 12 such rent, as, having regard to the provisions of this Act and the circumstances of the case, the Controller deems just; or
 - (iv) in any other case, such rent as may be determined by the Controller having due regard to the prevailing rates of rent for the same or similar accommodation in similar circumstances during the twelve months prior to the first day of December, 1941, and the permitted increase, and in the case of any premises which have been constructed after that date, also to any general increase in the cost of sites and building construction ;
 - (b) in relation to premises other than residential premises constructed before the 15th day of August, 1947,—
 - (i) the rent at which the premises were let on the first day of December, 1942, or, where they were not let on that date, the rent at which they were last let before that date, with the addition, in either of the foregoing cases, of the permitted increase ; or
 - (ii) in the case of any premises let under a lease for a period of five years or upwards commencing on or before the first day of January, 1938, which has expired after the first day of December, 1942, the rent fixed by such lease for the period including the first day of December, 1942, with the addition of the permitted increase ; or
 - (iii) in any other case, such rent as may be determined by the Controller having regard to the prevailing rates of rent for the same or similar accommodation in similar circumstances during the twelve months prior to the first day of December, 1942, and in the case of premises which have been constructed after that date, also to any general increase in the cost of sites and building construction ;
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