

SENATE OF PAKISTAN



REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR

ON

**A BILL FURTHER TO AMEND THE ISLAMABAD RENT RESTRICTION
ORDINANCE, 2001**

[THE ISLAMABAD RENT RESTRICTION (AMENDMENT) BILL, 2024],

INTRODUCED BY

SENATOR MOHSIN AZIZ

ON 29th APRIL, 2024

PRESENTED BY

SENATOR FAISAL SALEEM RAHMAN

CHAIRMAN SCC ON INTERIOR

SENATE SECRETARIAT

Subject: - REPORT OF THE SENATE STANDING COMMITTEE ON INTERIOR ON THE CRIMINAL LAWS (AMENDMENT) BILL, 2024

I, Senator Faisal Saleem Rahman, Chairman, Senate Standing Committee on Interior, have the honour to present a report of the Committee on a Bill "The Islamabad Rent Restriction (Amendment) Bill, 2024", moved by Senator Mohsin Aziz, in the Senate's sitting held on 29th April, 2024.

2. The composition of the Committee is given as under:-

1.	Senator Faisal Saleem Rahman	Chairman
2.	Senator Irfan-ul-Haq Siddiqui	Member
3.	Senator Shahadat Awan	Member
4.	Senator Naseema Ehsan	Member
5.	Senator Saifullah Abro	Member
6.	Senator Samina Mumtaz Zehri	Member
7.	Senator Umer Farooq	Member
8.	Senator Palwasha Muhammad Zai Khan	Member
9.	Senator Jam Saifullah Khan	Member
10.	Senator Mir Dostain Khan Domki	Member
11.	Minister for Interior	Ex-Officio Member

3. The Committee considered the bill in its meeting held on 7th November, 2024, with following in attendance:-

1.	Senator Faisal Saleem Rahman	Chairman
2.	Senator Shahadat Awan	Member
3.	Senator Palwasha Muhammad Zai Khan	Member
4.	Senator Jam Saifullah Khan	Member
5.	Senator Samina Mumtaz Zehri	Mover/Member
6.	Senator Mohsin Aziz	Mover/Special Invitee
7.	Senator Afnan Ullah Khan	Mover/Special Invitee

4. Mover of the bill, Senator Mohsin Aziz presented the bill before committee. He explained that the new rule says that when someone is renting a house or building, and their rental time is over and there's no agreement to extend it, the landlord can evict them. It fixes any confusion in the law by aligning with the 2018 Supreme Court ruling, ensuring that the lease's expiry alone is a valid ground for eviction. This update clarifies the rights of both tenants and landlords, eliminating potential disputes over tenancy agreements once the agreed-upon period has ended.
5. Senator Aziz further added that the bill aims to provide legal certainty, which would protect landlords from prolonged occupation by tenants who have overstayed their rental period without renewing the lease. At the same time, the bill respects tenants' rights by ensuring they are given reasonable notice before eviction. The proposed rule strikes a fair balance between upholding property rights and offering a clear framework for both parties to follow. By codifying this ruling in law, the bill ensures that tenants and landlords alike have a clear understanding of their rights and obligations when a lease expires.
6. After detailed discussion, the Bill was put to the vote of Committee which was passed unanimously. The Committee recommended that the Senate may pass the Bill as it is. The Committee also gave approval of presentation of Report of Committee to the House. Hence, this Report is presented to the House.



(RIDA QAZI)
D.G. / Secretary



(SENATOR FAISAL SALEEM RAHMAN)
Committee Chairman Committee

AS
[TO BE INTRODUCED IN THE SENATE]

A

Bill

further to amend the Islamabad Rent Restriction Ordinance, 2001

WHEREAS it is expedient further to amend the Islamabad Rent Restriction Ordinance, 2001 (Ordinance No. IV of 2001), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement. - (1) This Act may be called the Islamabad Rent Restriction (Amendment) Act, 2023.

(2) It shall come into force at once.

2. Amendment of section 17, Ordinance No. IV of 2001. - In the Islamabad Rent Restriction Ordinance, 2001 (Ordinance No. IV of 2001), in section 17, in sub-section (2),

(i) for the expression "If the Controller, after giving the tenant a reasonable opportunity of showing cause against the application," the expression "The Controller, after giving the tenant a reasonable opportunity of showing cause against the application, shall make an order directing the tenant to put the landlord in possession of the building or rented land, if he" shall be substituted;

(ii) in paragraph (v), in the proviso, for the full stop "." occurring at the end a semicolon and word "; or" shall be substituted;

(iii) after paragraph (v) amended as aforesaid, the following new paragraph shall be added, namely:-

"(vi) the tenancy period as defined under section 6 of this Ordinance has expired and has not been extended by the parties."

(iv) in the Explanation, for the expression "purpose of clause" the expression "purpose of this sub-section" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

The reason for this amendment is to give clarity and certainty to the application of rent laws. The language of section 17 has been explicit in terms of valid reasons to issue an eviction order, which does not include the reason of expiry of a lease where the tenant refuses to move out. This strict interpretation of section 17 has been in conflict with the language of section 6, which states that the lease cannot be extended automatically without the agreement of the parties. This troublesome conflict of the two sections of IRRO had been resolved by the Supreme Court in 2018, where the Supreme Court made it clear that expiry of lease in the absence of an agreement to extend is a valid reason to evict the tenant. However, the language itself needs to be made clear so that average citizens can clearly understand the available grounds for eviction of a tenant instead of finding out during court proceedings the proper interpretation as per the existing law as interpreted by the Honourable Supreme Court of Pakistan. The situation clamors to introduce the said bill.

The bill is designed to achieve the aforesaid objects.

SENATOR MOHSIN AZIZ
Member-In-Charge