

THE SECOND SCHEDULE

[See section 2 (i)]

PART A

PROVISIONS FOR DETERMINING THE STANDARD RENT OF PREMISES

IN THE STATE OF DELHI

1. In this Part of this Schedule, “basic rent” in relation to any premises means—

(a) where the fair rent of the premises has been determined or redetermined under the provisions of the New Delhi House Rent Control Order, 1939 the rent as so determined or, as the case may be, redetermined;

(b) where the standard rent of the premises has been fixed by the court under section 7 of the Delhi Rent Control Ordinance, 1944 (XXV of 1944), the rent as so fixed;

(c) in any other case,

(i) the rent at which the premises were let on the 1st day of November, 1939, or

(ii) if the premises were not let on that date, the rent at which they were first let at any time after that date but before the 2nd day of June, 1944.

2. Where the premises in respect of which rent is payable were let, for whatever purpose, on or after the 2nd day of June, 1944, the standard rent of the premises shall be—

(a) where the standard rent of the premises has been fixed by the Rent Controller under the provisions of the Fourth Schedule to the Delhi and Ajmer-Merwara Rent Control Act, 1947 (19 of 1947), such standard rent; or

(b) where the standard rent has been fixed by the court under clause (b) of sub-section (1) of section 8, such standard rent; or

(c) in any other case, so long as the standard rent is not fixed by the court, the rent at which the premises were first let.

3. Where the premises in respect of which rent is payable not being premises to which paragraph 2 applies, are let for the purpose of being used as a residence or for any of the purposes of a public hospital, an educational institution, a public library or reading-room or an orphanage, the standard rent of the premises shall be the basic rent increased by—

(a) 12½ per cent. thereof, if the basic rent per annum is not more than Rs. 300;

(b) 15⅘ per cent. thereof, if the basic rent per annum is more than Rs. 300, but not more than Rs. 600;

(c) 18¾ per cent. thereof, if the basic rent per annum is more than Rs. 600, but not more than Rs. 1,200; or

(d) 25 per cent. thereof, if the basic rent per annum is more than Rs. 1,200.

4. Where the premises in respect of which rent is payable, not being premises to which paragraph 2 applies, are let for any purpose other than those mentioned in paragraph 3, the standard rent of the premises shall be the basic rent increased by twice the amount by which it would be increased under paragraph 3 if the premises were let for a purpose mentioned in that paragraph.

5. Where the premises in respect of which rent is payable, not being premises to which paragraph 2 applies, are used mainly as a residence and incidentally for business or profession, the standard rent of the premises shall be the mean of the rent as calculated under paragraphs 3 and 4.

PART B

PROVISIONS FOR DETERMINING THE STANDARD RENT OF PREMISES IN THE STATE OF AJMER

1. In this Part of this Schedule, "basic rent" in relation to any premises means—

(a) where the fair rent of the premises has been determined or predetermined under the provisions of the Ajmer House Rent Control Order, 1943, the rent as so determined or, as the case may be, predetermined;

(b) in any other case,—

(i) the rent at which the premises were let on the 1st day of September, 1939, or

(ii) if the premises were not let on that date, the rent at which they were first let at any time after that date but before the 2nd day of June, 1944.

2. Where the premises in respect of which rent is payable were let, for whatever purpose on or after the 2nd day of June, 1944, the standard rent of the premises shall be—

(a) where the standard rent has been fixed by the court under clause (b) of sub-section (1) of section 8, such standard rent; or

(b) in any other case, so long as the standard rent is not fixed by the court, the rent at which the premises were first let.

3. Where the premises in respect of which rent is payable are let for use as a residence, not being premises to which paragraph 2 applies, the standard rent of the premises shall be the basic rent increased by—

(a) 8½ per cent. thereof, if the basic rent per annum is not more than Rs. 300;

(b) 12½ per cent. thereof, if the basic rent per annum is more than Rs. 300 but not more than Rs. 600;

(c) 18¾ per cent. thereof, if the basic rent per annum is more than Rs. 600, but not more than Rs. 1,200; or

(d) 25 per cent. thereof, if the basic rent per annum is more than Rs. 1,200.

4. Where the premises in respect of which rent is payable are let for any purpose other than use as a residence, not being premises to which paragraph 2 applied, the standard rent of the premises shall be the basic rent increased by—

(a) 25 per cent. thereof, if the basic rent per annum is not more than Rs. 600;

(b) 37½ per cent. thereof, if the basic rent per annum is more than Rs. 600, but not more than Rs. 1,200; or

(c) 50 per cent. thereof, if the basic rent per annum is more than Rs. 1,200.

5. Where the premises in respect of which rent is payable, not being premises to which paragraph 2 applies, are used mainly as a residence and incidentally for business or profession, the standard rent of the premises shall be the mean of the rent as calculated under paragraphs 3 and 4.