

**GOVERNMENT OF INDIA
MINISTRY OF HOUSING AND URBAN AFFAIRS
RAJYA SABHA
UNSTARRED QUESTION NO. 2639
TO BE ANSWERED ON AUGUST 11, 2021**

MODEL TENANCY ACT, 2021

NO. 2639. SHRI K.J. ALPHONS:

Will the Minister of HOUSING AND URBAN AFFAIRS be pleased to state

- (a) whether Government has taken any steps in ensuring the speedy three-tier adjudication mechanism for disputes linked to the Tenancy Act;
- (b) whether Government could specify the time limit for the resolution of disputes under certain cases mainly essential services and revision of rent;
- (c) the steps Government has taken to maintain the right to privacy of landlords and tenants as making Aadhaar mandatory for registering a tenancy may violate the privacy of individuals; and
- (d) how will Government ensure that the specifications to minute details like responsibility for repair and maintenance will not hinder flexibility in framing tenancy agreements?

ANSWER

**THE MINISTER OF STATE IN THE
MINISTRY OF HOUSING AND URBAN AFFAIRS
(SHRI KAUSHAL KISHORE)**

- (a) With the approval of Union Cabinet, Model Tenancy Act (MTA) has been circulated to all States / Union Territories (UTs) on 7th June, 2021 for adoption by way of enacting fresh legislation or amending existing rental laws suitably for future tenancies. Model Tenancy Act aims to promote rental housing by balancing and protecting the interests of both the tenants and landlords by regulating renting of premises in an efficient and transparent manner through an adjudicating mechanism for speedy dispute resolution.
- (b) To ensure speedy dispute resolution it is provisioned that Rent Court and Rent Tribunal both shall endeavour to dispose the cases within sixty days and in case of delay in disposal, reasons for delay are mandated to be recorded in writing. For disputes related to essential services, it is provided that the Rent Authority, after examining the matter, may pass an interim order directing restoration of supply of essential services immediately.

Further, Rent Authority shall conduct an enquiry within one month of filing of application by the tenant in this regard.

(c) Under the provisions of MTA, the information and documents submitted by landlord and tenant for intimation of tenancy will be in sole custody of Rent Authority.

(d) Unless otherwise agreed between landlord and tenant in the tenancy agreement, roles and responsibilities on both parties have been clearly delineated in the schedule-II of the Act. This will help in avoiding disputes between landlord and tenant and will not hinder flexibility in framing tenancy agreement.
