

Karnataka Rent Control Act, 2001

Chapter V - Controllers, their Powers and Procedure

(1) The State Government may, by notification in the Official Gazette, appoint as many Controllers as it thinks fit, and define the local limits within which, each Controller shall exercise the powers conferred or perform the duties imposed on Controllers by or under this Act.

(2) A person shall not be qualified for appointment as a Controller,

(i) in any area referred to in Part A of the First Schedule unless he has for at least five years held office as Assistant Commissioner;

(ii) in any area referred to in Part B of the First Schedule unless he has for atleast five years held office as a Senior Tahsildar; and

(iii) in any other area unless he has for atleast three years held office as a Tahsildar, in the Revenue Service of the State.

Section 24 - Powers of Controller

(1) The Controller shall have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908), in respect of the following matters, namely:-

(a) proof of facts by affidavit;

(b) summoning and enforcing attendance of any person and examining him on oath;

(c) discovery and production of documents;

(d) issuing commission for local inspection and for the examination of witnesses.

(2) For the purposes of holding an enquiry or discharging any duty under this Act, the Controller may,-

(a) after giving not less than twenty-four hours, notice in writing enter and inspect or authorise any officer subordinate to him to enter and inspect any premises at any time between sunrise and sunset; or

(b) by written order, require any person to produce for his inspection all such accounts books or other documents relevant to the inquiry at such time and at such place as may be specified in the order.

(3) The Controller may, if he thinks fit, appoint one or more persons having special knowledge of the matter under consideration as an assessor to advice him in the proceeding before him.

Section 25 - Procedure to be followed by Controller and time limit for deciding cases generally

(1) No order which prejudicially affects any person shall be made by the Controller under this Act without giving such person a reasonable opportunity of showing cause against the order proposed to be made, and until his objection, if any, and any evidence that may be adduced in support of the same have been con-sidered by the Controller.

(2) The Controller shall, while holding enquiry in any proceeding before him, follow such procedure as may be prescribed.

(3) All proceedings before the Controller shall ordinarily conclude within six months from the date of first appearance of the Respondent in response to the summons issued for his appearance in the case, or from the date on which the respondent is set aside:

Provided that the Controller may extend the hearing of the case beyond six months for reasons to be recorded by him on each day of hearing.

(4) In the case of an application under section 49, the controller shall commence the hearing of the application within seven days of the filing thereof and shall dispose off the same as per may be possible within thirty days of start of such hearing, unless for reasons to be recorded the controller adjourns the case beyond such time.

Section 26 - Appeal

Any person aggrieved by an order passed by the Controller under the provisions of chapters II, III or IV may within thirty days from the date thereof, appeal,-

(i) to the Deputy Commissioner when the officer passing the order is an officer not below the rank of an Assistant Commissioner; and

(ii) to the Assistant Commissioner in any other case, and the appellate authority may pass such order in appeal as it deems fit.