

The Conservator of Ports, Lands and Buildings (Recovery Of Possession) Act, 1967 (East Pakistan Act)

(ACT NO. III OF 1968)

An Act to provide for the speedy recovery of possession of lands and buildings belonging to the Conservator of Ports by evicting the outgoing lessees, licensees, and unauthorised occupants therefrom.^{1♣}

WHEREAS it is expedient to provide for speedy recovery of possession of lands or buildings belonging to the Conservator of Ports to which the provisions of the Ports Act, 1908 (Act XV of 1908) have been extended or may hereinafter be extended and for matters ancillary thereto;

It is hereby enacted as follows:-

**Short title,
application
and
commencement**

1. (1) This Act may be called the Conservator of Ports, Lands and Buildings (Recovery of Possession) Act, 1967.
- (2) It applies to all Ports to which the Provision of the Ports Act, 1908 (Act XV of 1908) have been extended or may hereinafter be extended by notification in the official Gazette.
- (3) It shall come into force at once.

Definitions

2. In this Act, unless there is anything repugnant in the subject or context,-
 - (a) "Allotment" means permission or license to occupy temporarily any premises or part thereof on an agreed rental or fee, without conferring any right or interest in respect thereof on the person to whom such permission or license has been granted;
 - (b) "Conservator" means some officer or body of persons appointed as such under section 7 of the Ports Act, 1908 (Act XV of 1908);
 - (c) "Lands or Buildings" means lands or building or part thereof which vests in, or is in possession or under the management or control of a

conservator, and used or held for the purposes connected with the administration and working of a Port but does not include any land or building in respect of which any person has a right of property as mentioned in the Ports Act, 1908;

Explanation.- Building includes the lands appurtenant thereto;

(d) "Lease" has the same meaning as assigned to it under section 105 of the Transfer of Property Act, 1882 (Act IV of 1882) and includes an allotment, and "lessee", which includes his heirs, assigns, legal representative and all persons inducted by him into the demised land or building, shall be construed accordingly;

(e) "License" shall have the same meaning as assigned to it under section 52 of the Easements Act, 1882 (Act V of 1882);

(f) "Port" means a Port to which the provisions of the Ports Act, 1908 (Act XV of 1908) have for the time being been extended or may be extended hereafter;

(g) "Prescribed" means prescribed by rules made under this Act by the Government;

(h) "Unauthorised occupant" means a person who is in occupation of any land or building without permission of or license from the Conservator, and includes-

(i) a person inducted into any land or building by original lessee or licensee of the land and buildings; and

(ii) a person who remains in occupation of land or building after determination of the lease or license in respect of such land and buildings.

**Eviction of
outgoing
lessee,
licensee
and
unauthorised
occupants
from the**

3. (1) If, on the expiry, whether before or after commencement of this Act, of the period of any lease or license in respect of any land or building of which the Conservator is the lessor or licensor or on the determination of such lease or license on the ground of breach of covenant or in pursuance of the condition in the lease imposing any obligation on the lessee or the licensee to give up possession of the demised land or building in the event