



# THE CENTRAL GOVERNMENT LANDS AND BUILDINGS (RECOVERY OF POSSESSION) ORDINANCE, 1965



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# CENTRAL GOVERNMENT LANDS AND BUILDINGS (RECOVERY OF POSSESSION) ORDINANCE, 1965.

## <sup>1</sup>ORDINANCE NO. LIV OF 1965

[10th December, 1965]

### **An Ordinance to provide for the speedy recovery of possession of Central Government lands and buildings.**

WHEREAS it is expedient to provide for the speedy recovery of possession of Central Government lands and buildings from outgoing lessees and licensees and unauthorized occupants, and for matters ancillary thereto;

AND WHEREAS the National Assembly is not in session and the President is satisfied that circumstances exist which render immediate legislation necessary;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 29 of the Constitution and of all other powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:—

**1. Short title, extent and commencement.**—<sup>2</sup>[(1) This Ordinance may be called the Federal Government Lands and Buildings (Recovery of Possession) Ordinance, 1965.]

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

**2. Definitions.** In this Ordinance, unless there is anything repugnant in the subject or context,—

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<sup>1</sup>Approved by the National Assembly of Pakistan on 9th March, 1966, see *Gaz. of P.*, 1966, Ext., pp. 105-108.

This Ordinance and the rules, notifications and Orders made thereunder as in force in N.W.F.P. before the 15th July, 1975, have been applied to all the Provincially Administered Tribal Areas of the N.W.F.P., by Regulation No. III of 1975, s. 2 and the Sch.

<sup>2</sup>Subs by the Federal Laws (Revision and Declaration) Ordinance, 1981 (27 of 1981), s. 3 and Sch., II, for sub-section (1).

- (a) “building” means a building, or part thereof, which vests in, or is in the possession or under the management and control of, the <sup>1</sup>[Federal Government], and includes the land appurtenant thereto;
- (b) “land” means land which vests in, or is in the possession or under the management and control of, the <sup>1</sup>[Federal Government], and is used or held for purposes other than agriculture;
- (c) “lease” and “lessee” have the same meaning as in the Transfer of Property Act, 1882 (IV of 1882), and for the purpose of section 3, “lessee” includes his heirs, assigns, legal representatives and all persons inducted by him into the demised land or building;
- (d) “license” and “licensee” have the same meaning as in the Easements Act, 1882 (V of 1882), and, for the purpose of section 4, “licensee” includes all persons inducted by him into the building to which the license relates;
- (e) “unauthorized occupant” means a person who is in occupation of any land or building without the express permission or authority of the <sup>1</sup>[Federal Government], and includes—
  - (i) a person inducted into any land or building by the lessee or licensee thereof; and
  - (ii) every member of the lessee’s or licensee’s family who remains in occupation of any land or building after the determination of the lease or license in respect of the same.

**3. Eviction of outgoing lessees on licensees from land or building.** If, on the expiry, whether before or after the commencement of this Ordinance, of the period of any lease or license in respect of any land or building of which the <sup>1</sup>[Federal Government] is the lessor or licensor or on the determination of such lease or license on the ground of breach of any covenant imposing an obligation on the lessee or licensee to give up possession of the demised land or building required for any public purpose, the lessee or licensee refused or failed, or refuses or fails, to vacate that land or building and put the <sup>1</sup>[Federal Government] into possession of the same, any officer authorized by the <sup>1</sup>[Federal Government] in this behalf may, notwithstanding anything contained in any other law for the time being in force or in any contract, at any time, enter upon the demised land or building and recover, vacant possession of that land or building by evicting the lessee or licensee and may also demolish and remove the structures, if any, erected or built thereon by the lessee or licensee:

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<sup>1</sup>Subs. by F.A.O., 1975, Art. 2 and Table, for “Central Government”.