



THE KARACHI HOTELS AND LODGING-HOUSES (CONTROL) ACT, 1950



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THE KARACHI HOTELS AND LODGING-HOUSES (CONTROL) ACT, 1950

¹ACT NO. LXV OF 1950

[23rd October, 1950]

An Act to provide for special measures for control of rates chargeable in hotels and lodging-houses in Karachi for the reservation of accommodation therein and for ancillary matters.

WHEREAS it is expedient to provide for special measures for control of rates chargeable in hotels and lodging-houses in Karachi, for the reservation of accommodation therein and for ancillary matters;

It is hereby enacted as follows:—

1. Short title, Commencement and extent.—(1) This Act may be called the Karachi Hotels and Lodging-houses (Control) Act, 1950.

(2) It shall come into force at once.

(3) It extends to the ²[Karachi Division].

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

(1) the expression “accommodation” has reference to lodging, board and service, or any one or more than one of these facilities, as may be required by, or agreed to be provided to, a guest;

(2) “fair rate” means the rate fixed under section 6, and includes a revised rate;

(3) “guest” means a person who is in possession or enjoyment of accommodation engaged for him;

¹For Statement of Objects and Reasons, see Gaz. of P., 1950, Pt. V, page 215.

The Chief Commissioner of Karachi has been authorised to exercise in respect of the Capital of the Federation, all the powers and duties conferred or imposed on the Central Government under sub-sections (1) and (2) of s. 3, sub-section (2) of s. 9, sub-section (4) of s. 14 and s. 23, of this Act, see Gaz. of P., 1953, Pt. 1, pp. 171-172.

²Subs. by A. O., 1964, Art. 2 and Sch., for “Federal Territory of Karachi” which had been subs. by the Repealing and Amending Ordinance, 1961 (1 of 1961), s. 3 and 2nd Sch., for “Central of the Federation”.

(4) “Hotel or Lodging-house” means a building which is exclusively or mainly used, for providing accommodation for guests for a monetary consideration but shall not include a home or hostel which is maintained exclusively for aged or incurable persons, or, as the case may be, for students, by or under the control of a charitable or educational institution;

(5) “manager of a hotel” means any person incharge of a hotel;

(6) “owner of a lodging-house” means the person who receives or is entitled to receive payment from a guest on account of accommodation provided, and includes a person managing a lodging-house, as an agent or trustee or otherwise;

(7) “prescribed” means prescribed by rules made under this Act;

(8) “public rooms” means and includes all rooms in a hotel or lodging-house which are reserved and left open for the common use of all guests;

(9) “service” means any service ordinarily provided in a hotel or lodging-house.

3. Appointment of Controller and Additional Controllers.—(1) The ¹[Provincial Government] may, by notification in the official Gazette, appoint a person to be Controller for the purposes of this Act and may, also appoint such number of Additional Controllers as may be necessary for carrying out the said purposes.

(2) Appointment of Advisory Committee. The ¹[Provincial Government] may also constitute an Advisory Committee, consisting of not less than three and not more than five persons, to aid and advise the Controller in relation to such of his functions as may be prescribed.

¹Subs. by A. O., 1964, Art. 2 and Sch., for “Central Government”.

4. Registration of hotels and lodging-houses. Within a period of two months from the commencement of this Act, or from the opening of any hotel or lodging-house, whichever is later, the owner of every hotel and lodging-house shall apply to the Controller for registration of his hotel or lodging-house, and for determination of fair rates in relation thereto.

5. Classification of hotels and lodging-houses.—(1) The Controller may, by order in writing, classify all hotels and lodging-houses into categories according to the standard of board, lodging and service provided by them, for the purpose of determination of fair rates.

(2) Nothing in sub-section (1) shall be deemed to prevent the determination of fair rates by the Controller in relation to any hotel or lodging-house, irrespective of any category in which it may have been placed, or whether it has been so classified.

6. Controller to fix fair rates for accommodation.—(1) The Controller may fix a fair rate to be charged for board, lodging and other service provided in a hotel or boarding-house, at such amount as, having regard to all the circumstances, he deems just.

(2) A fair rate may be fixed separately for—

- (a) lodging with reference to the nature of the accommodation and the number of guests to be accommodated;
- (b) board, partial or full; or
- (c) other service,

or the Controller may fix a consolidated rate for lodging, board and service, or for lodging and service only, as above.

(3) A fair rate may be fixed separately for daily and monthly guests.

Explanation.—A guest who agrees to reserve accommodation, or for whom accommodation reserved for a period of one month or more shall be deemed to be

a monthly guest, provided he actually stays for one month or more or has actually paid in advance for one month: where the reservation is not for any specified period, or is for a period less than a month, the guest shall be deemed to be a daily guest.

(4) The Controller may from time to time revise the fair rates determined by him under this section.

(5) In making an order fixing or revising a fair rate, the Controller shall fix the date, being the first day of a month not earlier than the month in which the order is made, from which the order is to take effect.

(6) Until such time as fair rates are fixed in relation to any hotel or lodging-house under this section, the rate, if any, charged by such hotel or lodging-house on the first day of July, 1947, for equivalent lodging, board or service to that provided, shall be deemed to be the fair rate chargeable.

7. Controller to fix limit of persons to be accommodated in any room.—(1) The Controller may fix the maximum number of guests to be accommodated in each room or other unit of accommodation in a hotel or lodging-house.

(2) Save as hereafter provided, no room for which an order has been made under sub-section (1) shall be used to accommodate any number of guests in excess of the number specified in the order except with the previous permission of the Controller in writing.

(3) The Controller may from time to time revise any order made by him under sub-section (1) so as to increase or reduce the number of guests specified in such order.

(4) The ¹[Provincial Government] may by rule prescribe the conditions under and the circumstances in which the permission of the Controller under sub-section (2) shall not be necessary.

¹ Subs. by A.O., 1964, Art. 2 and Sch., for "Central Government".