



GOVERNMENT OF EAST PAKISTAN

LAW DEPARTMENT

EAST PAKISTAN CODE

Officer on Special Duty, S. & G. A. Department,
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THE CHITTAGONG PORT ACT, 1914
(BENGAL ACT No. V OF 1914).

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BENGAL ACT No. V of 1914. (THE CHITTAGONG PORT ACT, 1914)

An Act to consolidate and amend the law relating to the
Port of Chittagong.

The Chittagong Port (Amendment) Ordinance, 1960

Published in Extra Ordinary Gazette of Pakistan

Dated 30-6-60.

AN ORDINANCE

further to amend the Chittagong Port Act, 1914
(Bengal Act V of 1914)

WHEREAS it is expedient further to amend
the Chittagong Port Act, 1914 (Bengal Act V of
1914) for the purposes hereinafter appearing ;

Preamble 1

NOW, THEREFORE, in pursuance of the
Proclamation of the seventh day of October, 1958,
and in exercise of all powers enabling him in that
behalf, the President is pleased to make and
promulgate the following Ordinance :—

1. Short title and commencement. (1) This
Ordinance may be called the Chittagong Port
(Amendment) Ordinance, 1960.

Short title and
commencement.

² (2) It shall come into force at once.

¹ Substituted by the Chittagong Port (Amendment)
Ordinance, 1960.

² Came into force on the 1st July, 1960.

The Chittagong Port Act. [BEN. ACT.
(Chapter 1.—Preliminary—Sec. 2—4)

Repeals.

2. The enactments specified in the First Schedule are hereby repealed to the extent mentioned in the fourth column thereof.

Trustees the
successors to
commissioners
constituted
under Bengal
Act IV of
1887.

3. All debts and obligations incurred, all contracts entered into and all matters and things engaged to be done by, with or for the * Trustees of the Port of Chittagong constituted under "The Chittagong Port Act, 1887", shall be deemed to have incurred, entered into or engaged to be done by, with or for the * Trustees constituted under this Act;

Ben.
Act IV.
of 1887

and all rates and sums of money due to the * Trustees constituted under "The Chittagong Port Act, 1887", shall be deemed to be due to the * Trustees constituted under this Act;

Ben.
Act IV.
of 1887.

and all suits and other legal proceedings, civil or criminal, instituted or which might but for the passing of this Act have been instituted by or against the * Trustees constituted under "The Chittagong Port Act, 1887", may be continued or instituted by or against the * Trustees constituted by this Act.

Definitions.

4. In this Act unless there is any thing repugnant in the subject or context,—

Board of
Trustees.

¹ (I) "Board" means the Board of Trustees of the Port of Chittagong established under section 6 and includes, as respect any period before the commencement of the Port of Chittagong (Amendment) Ordinance, 1960, the Commissioners of the Port of Chittagong.

(2) *Omitted as per Section 2 of the Chittagong Port (Amendment) Ordinance 1960.*

¹ (2A) "Chairman" means the Chairman of the Board ;
(3) "Dock" shall include all basins, cuts, quays, wharves,

"Dock".

* The word "Trustees" substituted for the word "Commissioners" as per Section 2 of the Chittagong Port (Amendment) Ordinance 1960.

¹ Substituted as per Section 3 of Chittagong Port (Amendment) Ordinance 1960.

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The Chittagong Port Act.

(Chapter 1—Preliminary—Sec. 4)

warehouses, tramways and other works and things appertaining to any dock;

(4) "goods" shall include wares and merchandise of every description;

"Goods."

(5) "high-water mark" shall mean a line drawn through the highest points reached by ordinary spring-tides at any season of the year;

"High-water mark."

(6) "land" shall include the bed of the river below high-water mark, and also things attached to the earth or permanently fastened to things attached to the earth;

"Land".

(7) "low-water mark" shall mean the lowest point reached at ordinary ebb spring-tides at any season of the year;

"Low-water mark."

(8) "Master", when used in relation to any vessel, means any person (not being a pilot or harbour-master) having for the time being the command or charge of such vessel;

"Master."

(9) "Owner" shall include also any agent to whom a vessel is consigned;

"Owner."

(10) "Pier" shall include any stage, stairs, landing-place, jetty, floating-barge or pontoon and any bridges or other works connected therewith;

"Pier."

XV of 1908 (11)

"Pilot" shall mean a person for the time being authorised by the [Central Govt.] under section 3 of the Ports Act, 1908, to pilot vessels to, from, or within, the port;

"Pilot."

(12) "Port" shall mean the Port of Chittagong as for the time being defined for the purposes of this Act;

"Port."

1 "(12A) "Trustee" means a Trustee appointed or elected under section 7"; and

¹ Inserted as per Section 3 of the Chittagong Port (Amendment) Ordinance, 1960.

The Chittagong Port Act.
[BEN. ACT
(Chapter 1—Preliminary—Sec. 5—6)

“Vessel.”

(13) “Vessel” shall include any ship, barge, boat, raft or craft, or any other thing whatever, designed or used for the transport upon water of passengers or goods;

(13A)¹ “Vice-Chairman” means the Vice-Chairman of the Board.

“Wharf.”

(14) “Wharf” shall include any bank of the river which may be improved to facilitate the loading or unloading of goods, and any foreshore used for the same, and any wall enclosing or adjoining such bank or foreshore.

5. (1) The [Central Government] may, by notification, define the limits of the port for the purposes of this Act; and may from time to time, by a like notification, alter such limits.

(2) Such limits may extend to any part of the navigable approaches to Chittagong, and may include any docks, wharves, quays, stages, jetties, piers, tramways, ware-houses, sheds and other works made on behalf of the public for the convenience of traffic, for the safety of vessels or for the improvement, maintenance and good government of the port or river, whether within or without high-water mark, and (subject to any right of private property therein) any portion of the shore or bank within fifty yards of high-water mark.

Trustees a
body corporate.

CHAPTER II
CONSTITUTION OF THE BOARD OF TRUSTEES.

2 6. (1) The duty of carrying out the provisions of this Act shall, subject to such conditions and limitations as are here-

¹ (13A) Inserted as per Section 3 of the Chittagong Port (Amendment) Ordinance, 1960.

² Section 6.—The words “Board” to be called ‘The Trustees of the port of Chittagong’ are substituted for the words ‘Body of Commissioners’ to be called ‘The Commissioners for the port of Chittagong’ in sub-section 1 & the Words ‘The Board’ are substituted for the words ‘such body’ in sub-section 2 as per section 4 of the Chittagong Port (Amendment) Ordinance, 1960.

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The Chittagong Port Act.

[Chapter II—Constitution of the Board of Trustees-Sec. 7—9]

inafter contained, be vested in a Board to be called “The Trustees of the Port of Chittagong.”

(2) The Board shall be a body corporate and have perpetual succession and a common seal, and may sue and be sued in its corporate name, and, in addition the powers expressly conferred by this Act, shall have power, subject to the provisions of this Act, to do all other things necessary for the purposes of its constitution.

1 7. The Board shall consist of the following eleven Trustees, namely :—

- [a] the Chairman ;
- [b] five Trustees appointed by the Central Government of whom one shall be non-official associated with the Labour Unions of the Port ;
- [c] two Trustees elected by the Chittagong Chamber of Commerce and Industry ;
- [d] one Trustee elected by the Jute Association ;
- [e] one Trustee elected by such body or bodies having interest in inland water transport and using the port, as the Central Government may specify ; and
- [f] one Trustee elected by the Municipal Committee of Chittagong.

Composition of the body Corporate

8. The election of Trustee shall be made in such manner as may be determined by the electing bodies in each case, subject to the approval of the [Central Government].

Mode of election.

9. In the event of default being made by the electing body, bodies or firms referred to in section [7] in electing any Trustee within the period prescribed by section 14, it shall be lawful for the [Central Government] to appoint a person ; and the person so appointed shall be deemed to be a Trustee as if he had been elected by such body, bodies or firms.

Nomination by Central Govt, in default of election.

¹ Section 7 is substituted as per Section 5 of the Chittagong Port (Amendment) Ordinance, 1960.

Appointment of
Chairman,
& Vice-Chairman.

¹ 10. (1) The Central Government shall from time to time appoint a person whether in the service of Government or not, to be the Chairman of the Board.

[2] The Board shall elect at its first meeting held at the beginning of each year of the term of the Trustees composing that Board one of the Trustees to be the Vice-Chairman of the Board for a period of one year expiring with the expiry of that year of the term.

[3] In the event of the death, resignation or disqualification of the Vice-Chairman or of his absence from four successive meetings of the Board, the Board shall elect a successor who shall hold office for the remainder of his predecessor's period of office.

Tenure of office.

¹ 11. (1) The Chairman shall hold office for such period as the Central Government may from time to time decide.

[2] Every Trustee other than the Chairman, shall unless he becomes in the meantime disqualified, hold office for a term of two years :

Provided that the Central Government may, by notification in the official Gazette, extend the term for such period as may be specified in the notification.

Disqualification for
Office

12. No person shall be qualified to be a Trustee during such time as he —

[a] is an undischarged insolvent, or

[b] holds any office or place of profit under this Act, except the office of Chairman or Vice-Chairman, or,

¹ Substituted as per Section 6 of the Chittagong Port [Amendment] Ordinance, 1960.

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The Chittagong Port Act.(*Chapter II.—Constitution of the Board of Trustees-Sec. 12*)

(c) save with the sanction of the [Central Government] has, directly or indirectly, any share or interest in any work done by order of the Trustees, or in any contract, or employment with, by, or on behalf of the Trustees or

(d) is under sentence of imprisonment ; and every Trustee becoming so disqualified shall thenceforth cease to be a Trustee and his office shall thereupon become vacant :

Provided always that no Trustee shall vacate his office by reason only of—

- (i) his being a shareholder in or a member or employee of any company (registered under the provisions of any [law relating to the registration of joint-stock companies for the time being enforced in Pakistan or under the provisions of any Act passed] by the Parliament of the United Kingdom, or incorporated by Act of Parliament, Royal Charter, or otherwise,) with which the Trustee may enter into any contract, or
- (ii) his being interested as a debenture-holder in any loan of money to the Trustees or
- (iii) his being interested in any purchase or lease of Land or premises, the sale or lease of which the Trustees may determine on at a meeting under the provisions of this Act, or
- (iv) his being interested in any agreement under which facilities may be granted for the landing or shipment of goods in return for stipulated income guaranteed to the Trustees in consideration of their undertaking to construct or provide such facilities, or

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(Chapter II—Constitution of the Board of Trustees—Sec. 12—13)

(v) his having a share or interest, in any newspaper in which any advertisement relating to the affairs of the Trustees may be inserted.

Absence from mee-
tings.

¹ 13. (1) Any Trustee who—

- (a) becomes disqualified for any of the reasons mentioned in section 12, or
- (b) is absent from the meetings of the Board for a period exceeding six consecutive months, or without the permission of the Board, from all the ordinary meetings of the Board held in any three consecutive months, or
- (c) acts in contravention of the proviso to clause (d) of section 25, or
- (d) ceases to be a member of the Constituency by which he has been elected,

shall cease to be a Trustee, and his office shall thereupon become vacant.

(2) In the event of the Chittagong Chamber of Commerce and Industry, or the Jute Association, Chittagong, or the bodies having interest in inland water transport or the Municipal Committee of Chittagong being dissolved or ceasing to exist, the office of any Trustee or Trustees elected by the said Chamber, Association, interests, or Committee, as the case may be, shall become Vacant.

¹ Substituted as per Section 7 of the Chittagong Port (Amendment) Ordinance, 1960.

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* [14. The elections of Trustees shall be held before the expiry of the term of two years specified in section 11, or within one month thereafter, and all vacancies shall be filled within one month from their occurrence.]

Time for holding elections and filling vacancies.

15. (1) A temporary vacancy caused by the absence on leave of any Trustee for a period of not less than three months nor more than six months may, if the [Central Government] [thinks] fit, be filled up by election or appointment, as the case may be, in the manner hereinbefore in this Chapter provided.

Temporary leave vacancies.

(2) A person elected or appointed under this section shall hold office until the expiry of the leave granted to the Trustee whose place he fills.

¹ 16. Save as provided in section 15, any vacancy in the office of a Trustee occasioned during the period of two years mentioned in section 11, by the death, resignation, disqualification or absence of any Trustee shall be filled up [by election] as hereinbefore in this Chapter, but the Trustee so elected shall retain his office so long only, as the vacating Trustee would have retained it if such vacancy had not occurred.

Casual vacancies.

17. It shall be lawful for the [Central Government] by an order, from time to time to determine whether any, and what, salary and allowances shall be paid to the Chairman and Vice-Chairman, respectively, and whether any, and what, fees shall

Remuneration of Chairman, Vice-Chairman and Trustees.

* The words "sub-section (4) of" omitted as per Section 8 of the Chittagong Port (Amendment) Ordinance, 1960.

¹ The words 'sub-section (4)' Omitted as per Section 9 of the Chittagong Port (Amendment) Ordinance, 1960.

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(Chapter 11—Constitution of the Board of Trustees Sec. 17—19)

be paid to the Trustees for attendance at meetings at which a quorum shall be present, and business shall be transacted

[18. The [Central Government] may grant leave of absence to the Chairman, and may appoint a person to officiate for him during his absence on leave. Any person so appointed shall be deemed to be the Chairman for the purposes of this Act.]

19. All elections and appointments made, and all resignations accepted, under this Chapter, shall be notified in the [Official Gazette] and shall take effect from the date of such notification.

Leave of absence
of Chairman.

Notification in the
official Gazette of
elections and appointments.

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The Chittagong Port Act.(*Chapter III.—Conduct of Business by the Trustees-Sec. 20—21*)**CHAPTER III.****CONDUCT OF BUSINESS BY THE TRUSTEES**

¹ 20. (1) The Trustees may from time to time, in accordance with a resolution passed at a meeting, appoint committees consisting of any number of Trustees for carrying into effect any part of the provisions of this Act, with such powers, and under such instructions, directions or limitations as by such resolution shall be defined.

Power to Trustees
to appoint committees

ii (2) On any such committee two-third of the total number of Trustees on the committee shall be a quorum, and in calculating such two-third a fraction shall be deemed to be a whole number.

(3) The Trustees in meeting may alter or discontinue any such committee.

21. (1) The Trustees shall ordinarily meet, for the transaction of business, at least once in every month.

Ordinary and spe-
cial meetings.

(2) The Chairman, or, in the event of his illness or absence from Chittagong, the Vice-Chairman may, whenever he thinks fit, and shall upon a requisition in writing signed by not less than three Trustees convene a meeting of the Trustees for the transaction of any special business.

(3) Meetings convened under sub-section (2) are special meetings; all other meetings are ordinary meetings.

¹ The words "Consisting of any number of Trustees" are substituted for the words "of their number" as per Sec. 10 (a) of the Chittagong Port (Amendment) Ordinance, 1960.

ii Substituted as per Section 10 (b) of the Chittagong Port (Amendment) Ordinance, 1960.

Notice and place of meetings.

22. (1) At least three days' notice shall ordinarily be given of meetings of the Trustees, and the notice shall state the nature of the business to be transacted.

(2) Notwithstanding anything contained in sub-section (1) when the Chairman or Vice-Chairman, as the case may be, certifies that the business to be transacted at a special meeting is of an urgent nature, such meeting may be held after such notice as, in the opinion of the Chairman or Vice-Chairman, the urgency of the case permits.

(3) Meetings shall ordinarily be held at the office of the Trustees.

23. [*Representation of Agent, Assam Bengal Railway, by other officer.*] Omitted by s. 13 of Act 11 of 1928.

President of meetings.

24. (1) The Chairman and Vice-Chairman shall, unless prevented by sickness or other reasonable cause, attend all meetings of the Trustees.

(2) The Chairman, or, in his absence, the Vice-Chairman, shall preside at every such meeting.

(3) In the absence of both the Chairman and Vice-Chairman, the Trustees present at any meeting may elect one of their number to preside.

¹ (4) A committee may elect one of its members to be its Chairman and if no such Chairman is elected, or, if he is not present at the time appointed for holding a meeting, the members of the committee present shall choose one of their number to be Chairman of such meeting:

(4) Provided that, if the Chairman is a member of the committee, he shall be Chairman thereof, and if he is not, but the

¹ Inserted as per Section 11 of the Chittagong Port (Amendment) Ordinance, 1960.

Vice-Chairman is, a member of the committee, the Vice-Chairman shall be Chairman thereof."

25. At all meetings of the Trustees the business shall be conducted in accordance with the following rules :—

Conduct of business
at meetings.

- 1 [a] the quorum necessary for the transaction of business shall be such number, not less than four as the Trustees may from time to time prescribe ; but no Trustee who is prohibited as hereinafter in this section provided from voting in any proceedings shall be counted in the quorum so far as regards such proceedings ;
- [b] at ordinary meetings any business may be transacted of which due notice has been given : Provided that any other business may be transacted if two-thirds of the total number of Trustees present resolve that it is of an urgent nature ;
- [c] at special meetings no business shall be transacted other than the special business for the consideration of which the meeting was specially called ;
- [d] all questions which may come before the Trustees at any meeting shall be decided by a majority of votes. Each Trustee shall have one vote ; and, in case of equality of votes, the President shall have a second or casting vote :

2 Provided that a Trustee shall not at any meeting of the Board or a committee thereof take part in discussion

¹ The word 'four' is substituted for the word 'five' as per section 12 (a) of the Chittagong Port (Amendment) Ordinance, 1960.

² Substituted as per Section 12 (b) of the Chittagong Port (Amendment) Ordinance, 1960.

of, or vote on, any matter in which he has directly or indirectly, by himself or his partner, any share or interest such as is described in section 12, or in which he is interested either professionally on behalf of a client or an agent for any person.

- (e) the President may, with the consent of the meeting adjourn the meeting from time to time ;
- (f) minutes of the proceedings at all meetings of the Trustees shall be drawn up after each meeting, and shall be signed by the President and at least one other Trustee who was present at such meeting. A copy of all such minutes shall, as soon as conveniently may be, be transmitted to the [Central Government] ;
- (g) another copy of such minutes, except such portions thereof as the Chairman may in any particular case direct, shall be open to the inspection of the public.

By-laws for the conduct of business, etc.

26. The Trustees in meeting may from time to time make by-laws, consistent with this act, for any of the following purposes, namely :—

- (a) for regulating the time and place of their meetings ;
- (b) for the conduct of the business of the Trustees ;
- (c) for division of the duties of the Trustees ;
- (d) for the guidance of persons employed by them under this Act ; and
- (e) generally for otherwise carrying out the provisions of this chapter.

(*Chapter III.—Conduct of Business by the Trustees-Sec. 27—28*)

27. [1] All the powers, authorities and duties, in and by this act conferred or imposed upon the Trustees may be exercised and performed by the Chairman or Vice-Chairman, save the powers, authorities and duties by this Act, or by any rule, by-law or order made under the provisions of this Act, conferred or imposed on, or restricted to, the Trustees in meeting :

Powers of Chairman or Vice-Chairman.

Provided that such powers, authorities and duties shall not be exercised by the Chairman or Vice-Chairman in contravention of any order issued, or rule or by-law passed by the Trustees in meeting.

(2) The Chairman may, in the event of his illness or absence from Chittagong and for the duration thereof, delegate to the Vice-Chairman all or any of his powers or duties under this Act.

28. (1) The Trustees may enter into contracts authorised by this Act with any person for the execution or supply of any works, labour, materials, machinery, stores, or for other matters necessary for carrying into effect the trusts and purposes of this Act.

The making of contracts.

¹ (2) Any such contract, the value or amount of which does not exceed one lakh of rupees may be made by the Chairman in the case of any work or matter which he is authorised to carry out by this Act or the rules or by-laws thereunder or which has been sanctioned by the Trustees but other contracts shall not be entered into except in accordance with a resolution passed by the Trustees in meeting.

(3) Omitted as per section 13 (b) of the Chittagong Port (Amendment) Ordinance, 1960.

¹ The word 'one lakh of rupees' are substituted for the words 'three thousand rupees' as per section 13 (a) of the Chittagong Port (Amendment) Ordinance, 1960.

Mode of executing
contracts and
agreements.

¹ 29. (1) Any contract, the value or amount of which does not exceed [one lakh of rupees] made by the Chairman for and on behalf of the Trustees may be made in such manner and form as, according to the law for the time being administered in Chittagong, would bind him if such contract were on his own behalf.

¹ (2) Every contract or agreement by or on behalf of the Trustees which shall exceed the sum of [one lakh of rupees] shall be in writing and signed by the Chairman or Vice-Chairman and by two other Trustees and shall be sealed with the common seal of the Trustees.

(3) No contract or agreement, not executed as in this section provided, shall be binding upon the Trustees

Manner in which
works to be
sanctioned.

30. No new work shall be commenced, and no contract in respect thereof shall be entered into, if the estimated cost of such work exceeds—

¹ (i) [One lakh of rupees], until the plan and estimate therefor shall have been determined on and approved by the Trustees in meeting;

² (ii) [Three lakh of rupees] until the plan and estimate therefor shall have been submitted to and approved by, the [Central Government].

¹ The words 'one lakh of rupees' are substituted for the words 'three thousand rupees' as per sections 14 & 15 (a) of the Chittagong Port (Amendment) Ordinance, 1960.

² The words 'three lakh of rupees' are substituted for the words 'one lakh of rupees' as per section 15 (b) of the Chittagong Port (Amendment) Ordinance, 1960.

V OF 1914]

*The Chittagong Port Act.**Chapter III.—Conduct of Business by the Trustees—Sec. 31—32)*

¹ 31. [1] The Board may compound or compromise for, or in respect of, any claim or demand made against them, for such sum of money, or other compensation, as they shall deem sufficient :

Power to Trustees
to compound.

Provided that this power shall be exercisable by the Chairman only in respect of claims or demands not exceeding ten thousand rupees in value.

32. No act or proceeding of the Trustees shall be invalidated or deemed illegal by reason only of any vacancy in the number of the Trustees or of any defect in the election or appointment of any of the Trustees, or of any defect in the notice given of any meeting, or any defect of form.

Formal defects

¹ Substituted as per section 16 of the Chittagong Port (Amendment) Ordinance, 1960.

CHAPTER IV**OFFICERS AND SERVANTS.**Schedule of
establishment

33. [1] The Trustees shall from time to time prepare and in meeting sanction schedules of the staff of officers and servants whom they deem it necessary to maintain for carrying out the purposes of this Act, and of the salaries, fees, and allowances assigned to such officers and servants.

(2) A copy of the said schedules shall be attached to the annual budget estimates, and another copy to the annual administration report of the Trustees.

¹ (3) * * *

(4) Artisans, porters and labourers shall not be deemed to be officers or servants within the meaning of sub-section (1).

34. * * *

By-laws relating to
officers and servants

35. (1) The Trustees in meeting may from time to time make by-laws—

- (a) for regulating the grant of leave to officers and servants of the Trustees;
- (b) for authorising the payment of allowances to any such officers and servants while absent on leave;

¹ Omitted as per section 17 of the Chittagong Port (Amendment) Ordinance, 1960.

- (c) for determining the remuneration to be paid to the persons appointed to act for any such officers and servants during their absence on leave;
- ¹ (d) for regulating the conduct, period and other terms and conditions of service of all officers and servants;
- (e) for determining the conditions under which any such officers and servants shall, on retirement, receive pensions, gratuities or compassionate allowances, and the amount of such pensions, gratuities and compassionate allowances;
- (f) for determining the conditions under which pensions, gratuities or compassionate allowances may be paid to any of such officers or servants injured [in the execution of their duty], or to surviving relatives of any such officers or servants [who die while in the service of Trustees], whether the injury or death occurred before or after the commencement of this Act;
- (g) for establishing and maintaining a provident or annuity fund, and in respect thereto—
 - (i) compelling all or any of such officers or servants (other than [persons in the service of the crown]) to subscribe such fund and, if necessary, providing for the deduction of such subscription out of the salaries or emoluments of such officers or servants.
 - (ii) fixing the conditions under which payments may be made out of such fund, and under which such payments shall discharge the fund from further liability;

¹ Substituted as per section 18 of the Chittagong Port (Amendment) Ordinance, 1960.

(iii) providing for the settlement, by arbitration or otherwise, of disputes relating to such fund or the payments or subscription thereto or claims thereon between the Trustees and other persons, or between persons claiming any share or interest therein ; and

(iv) regulating generally other matters incidental to such fund and the investment thereof ;

(gg) for establishing and maintaining funds (hereinafter referred to as Welfare funds) for the benefit of such officers and servants and for regulating generally matters incidental to such welfare funds and the investment thereof ; Provided that no such welfare funds shall be established without the previous sanction of the [Central Government] : and that the maximum amount to which any such fund may be allowed to accumulate shall be fixed from time to time by [Central Government] ;

(h) for providing for the payment by the Trustees out of other funds vested in the Trustees of contributions to any provident or annuity fund established by or with the approval of the Trustees.

(2) By-laws framed under this section shall not come into force unless and until they have been confirmed by the [Central Government].

Appointment of
officers and
servants.

¹ 36. [1] Subject to the provisions of the regulations made under section 35 and of the schedule of officers and servants for the time being in force, all administrative powers including those of appointing, promoting, suspending and punishing the officers

¹ Substituted as per section 19 of the Chittagong Port (Amendment) Ordinance, 1960.

V OF 1914]

The Chittagong Port Act.(*Chapter IV.—Officers and Servants-Sec. 36—37,*)

and servants of the Board and of grant of leave to them shall be exercised by the Chairman in the case of persons drawing pay in the scale of maximum of which does not exceed five hundred rupees, and in every other case by the Board ;

Provided that the Chairman may be order in writing delegate all or any of his powers under this sub-section to the respective Heads of Departments or such other officer as he may think fit.

(2) In the case of an order passed by a Head of the Department or other officer in exercise of the power delegated to him under sub-section (1) an appeal shall lie to the Chairman and in the case of any other order under that sub-section to the Central Government and the orders of the Chairman or the Central Government, as the case may be, in such appeal shall be final.

(3) An appointment made in this section shall not be deemed to be a contract or agreement within the meaning of section 28 and 29.

¹ 36 [A] Sanction of the Central Government when necessary.—Every order under any of the proceeding sections of this chapter except that relating to grant of leave, passed by the Board in respect of Heads or Deputy Heads of Departments or in respect of officers holding posts the maximum of the scale of which is eleven hundred rupees or more, shall be subject to the prior approval of the Central Government.

² 37. (1) The Board shall have the right and privilege of maintaining pilots for the navigation of vessels at the Port; and

Appointment of
officers and
servants.

Pilots.

¹ Section 36 (A) inserted as per section 20 of the Chittagong Port (Amendment) Ordinance, 1960.

² Substituted as per section 21 of the Chittagong Port (Amendment) Ordinance, 1960.

shall be bound to provide a sufficient number of pilots for that purpose, and all fees for pilotage shall be paid to the Board:

Provided that no person shall be appointed to be a pilot by the Board who is not for the time being authorised by the Central Government, under the provisions of the Ports Act, 1908 (XV of 1908), to pilot vessels.

(2) The Board may make such by-laws and regulations—

- (a) for fixing and regulating and wages and allowances for pilotage to be received by pilots, and
- (b) for regulating the behaviour and conduct of pilots whether maintained by the Board or not,

and shall enforce the observance of such by-laws and regulations by the imposition of pecuniary penalties, not exceeding two hundred rupees for each offence, or by suspension or deprivation of appointment, or otherwise as may seem expedient to the Board.

(3) The by-laws made under sub-section (2) shall be subject to the previous approval of the Central Government and shall be notified in the official Gazette.

CHAPTER V.**GENERAL POWERS OF THE TRUSTEES.***Construction of Works, etc.*

38. The Trustees may construct and carry out the following works :—

Works to be constructed.

- (a) docks, wharves, quays, stages, jetties and piers with all necessary and convenient drains, arches, landing-places, stairs, fences and approaches ;
- (b) quarters and buildings for the residence of the Trustees' officers ;
- (c) railways, tramways, warehouses, sheds, engines, and other appliances for conveying, receiving and storing goods landed or to be shipped or carried, and places suitable for the sampling and selling of such goods ;
- (d) the laying down of moorings, and the erection of cranes, scales and all other necessary appliances for loading and unloading vessels ;
- (e) the reclamation, enclosing, raising and rivetting of any part of the bank or bed of the river ;
- (f) the construction and application of dredgers and other machines for clearing, deepening and improving the bed of the river ;

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The Chittagong Port Act.

[BEN. ACT]

(*Chapter V—General Powers of the Trustees—Sec. 38—39*)

- 1 (g) the procuring and employment of vessels for towing vessels into, out of, in or upon the river, and for carrying passengers and their personal effects within or partly within and partly without the limits of the port;
- (h) the construction of such works within or without the limits of the port as shall be necessary for the protection of works executed under this Act;
- (i) the maintenance and improvement of any navigable channel which the [Provincial Government] may [with the previous sanction of the Central Government and] by notification, place under the management of the Trustees ; and
- (j) all such other works and appliances as may in the opinion of the Trustees, be necessary for carrying out the provisions of this Act.

*Port By—laws*XV of
1908

¹ 39. (1) The Trustees in meeting may, subject to the condition of previous publication, from time to time make by-laws, consistent with the [Ports Act, 1908], and with this Act, for any of the following purposes (that is to say) :—

Powers to
Trustees to
make port
by-laws.

- (a) for regulating, declaring and defining the docks, wharves, quays, stages, jetties and piers on and from which goods shall be landed from, and shipped in, vessels within the port ;

¹ The word 'vessels' is substituted for the words 'Steam Vessels' as per section 22 of the Chittagong Port (Amendment) Ordinance, 1960.

VOF 1914]

The Chittagong Port Act.

(Chapter V. — General Powers of the Trustees—Sec. 39)

- (b) for regulating the manner in which, and the conditions under which, the loading and discharging of all vessels within the Port shall be carried out ;
- (c) for the safe and convenient use of such docks, wharves, quays, stages, jetties and piers, and of landing-places, tramways, warehouses, sheds and other works in and adjoining them ;
- (d) for regulating the reception and removal of goods within and from the premises of the Trustees and for declaring the procedure to be followed in taking charge of goods which may have been damaged before landing, or may be alleged to be so damaged ;
- (e) for regulating the mode of payment of tolls, dues, rates, duties and charges levied under this Act ;
- (f) for providing water for ships, and for licensing and regulating water-boats within the Port ;
- (g) for the removal of wrecks from the port or the river, and keeping clean the port, the river, the bank of the river, and the works of the Trustees, and for preventing filth and rubbish being thrown therein or thereon ;
- 1 (h) for regulating conditions, liabilities and responsibilities for the different types of goods and commodities received or shipped ex-vessels on docks, wharves, quays, stages, jetties, piers, warehouses, sheds, open storage and moorings of the Board ;
- (i) for otherwise carrying out the purposes of this Act.

1 Substituted as per section 23 of the Chittagong Port (Amendment) Ordinance, 1960.

(Chapter V.—General Powers of the Trustees—Sec. 39.—42)

[2] No by-law made under this section shall come into force until it has been confirmed by the [Central Government].

Public landing-places, etc.

Free public landing-places.

Removal of bathing-places and landing-places.

Appliances for shipment and landing in and from sea-going Vessels

40. The Trustees shall provide a sufficient number of landing-places within the port from and upon which the public may be permitted to embark and land free of charge.

41. The Trustees may occupy or remove or alter any bathing-place or landing-place in the port, and prohibit the public from resorting to or using such bathing-place or landing-place ;

Provided that the Trustees shall provide for the use of the public such other bathing-places or landing-places, if any, as the [Central Government] may by notification direct.

Landing and Shipment of goods, and Registration of Cargo-boat traffic.

42. For the expeditious and convenient landing and shipment of goods from and in sea-going vessels within the port, and for the storing of such goods, the Trustees may provide and maintain sufficient docks, wharves, quays, stages, moorings, jetties, piers, warehouses and sheds, and sufficient servants and appliances, and may by their servants land and ship all goods from and in any such vessel coming to any such dock, wharf, quay, stage, mooring, jetty or pier, except where there is a lawful excuse for

¹ The words 'Moorings' and 'Mooring' are inserted after the words 'stages, and 'stage' as per section 24 of the Chittagong Port (Amendment) Ordinance, 1960.

refusing to land or ship such goods, or such vessel is, under any enactment for the time being in force, not entitled to have her cargo shipped or discharged :

Provided as following :—

- (1) the Trustees shall not be bound to land, ship or move any single article or package exceeding ten tons of twenty hundred-weights in weight, except at such special charge as may be agreed upon in respect of such article or package :
- (2) the Trustees may, by special arrangement with the masters of vessels or the owners of goods, permit goods to be landed or shipped by persons other than the officers and servants of the Trustees.

¹ 43. (1) When the Trustees have made and completed, abutting on the river and whether within or without the limits of the port, any dock, wharf, quay, stage, mooring, jetty or pier, together with sufficient warehouses, sheds and appliances for landing and shipping or for landing or shipping, goods from and in sea-going vessels, the Trustees may, with the previous sanction of the [Central Government] by a notification published in the [Official Gazette], declare that such dock, wharf, quay, stage, mooring, jetty or pier is ready for receiving, landing and shipping, or for landing or shipping, as the case may be, goods from and in sea-going vessels.

1. 43. (1) the Trustees
may be ready
to land or ship
goods from and in
sea-going vessels

Power to Trustees
to compel sea-going
vessels to use docks,
wharves etc.

1. 43. (1) the Trustees
may be ready
to land or ship
goods from and in
sea-going vessels

¹ The word 'moorings' or 'mooring' are inserted after the word 'stages' or 'stage' as per section 25 (b) & (c) of the Chittagong Port (Amendment) Ordinance, 1960 and the words or the "Eastern Bengal Railway as the case may be" are omitted as per Section 25 (a) of the Chittagong Port (Amendment) Ordinance, 1960.

(Chapter V—General Powers of the Trustees—Sec. 43—45)

(2) From and after such publication, the Trustees may from time to time, when there is room in or at such dock, wharf, quay, stage, mooring, jetty, or pier, order to enter or come alongside of such dock, wharf, quay, stage, mooring, jetty, or pier, whether for the purpose of landing and shipping goods, or for landing or shipping the same, as the case may be, any sea-going vessel within the port which has not commenced to discharge cargo, or which being about to take in cargo, has not commenced to take in cargo.

When all sea-going vessels may be compelled to use docks, wharves, etc.

Sea-going vessels may be required to use docks, wharves, etc.

Powers to Trustees compel inland vessels to use docks, wharves, etc.

¹ 44. When the Trustees have provided, as aforesaid, abutting on the river, a sufficient number of docks, wharves, quays, stages, moorings, jetties or piers, together with such number of warehouses, sheds and appliances as the Trustees may deem necessary, the Trustees may, with the previous sanction of the [Central Government], by an order published in the [Official Gazette] direct that no goods shall be landed or shipped from or in sea-going vessels within the port, save at such docks, wharves, quays, stages, moorings, jetties and piers.

¹ 45. (1) When the Trustees have made and completed abutting on the river, any dock, wharf, quay, stage, mooring, jetty or pier for receiving, landing or shipping goods from or in vessels, not being sea-going vessels, together with such number of warehouses, sheds and appliances as the Trustees may deem necessary in that behalf, the Trustees may, with the sanction of the [Central Government] by an order published in the [Official Gazette] declare—

(a) that such dock, wharf, quay, stage, mooring, jetty or

¹ The word 'moorings' or 'mooring' are inserted after the word 'stages' or 'stage' as per section 25 (b) & (c) of the Chittagong Port (Amendment) Ordinance, 1960 and the words or the "Eastern Bengal Railway as the case may be" are omitted as per Section 25 (a) of the Chittagong Port (Amendment) Ordinance, 1960.

pier, is ready for receiving, landing or shipping goods from or in vessels, not being sea-going vessels, and

(b) that, within certain prescribed limits within the port, to be specified in such order, it shall not be lawful—

(i) to land or ship any goods from or in any vessel, not being a sea-going vessel, of any class specified in such order, except at such dock, wharf, quay, stage, mooring, jetty or pier, or

(ii) for any such vessel, while within such limits, to anchor, fasten or lie, within fifty yards of low-water mark, without the consent of the Trustees.

(2) If after such publication any such vessel, while within such limits, so anchors fastens or lies, the Trustees may cause the same to be removed out of the said limits.

46. Before issuing any notification under section 43, or any order under section 44 or section 45, the Trustees shall publish in the [Official Gazette] a draft of the proposed notification or order, together with a notice specifying a date on or after which the draft will be taken into consideration; and shall receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

Prior publication
of notifications
under sections
43, 44, and 45.

The word 'moorings' or 'mooring' are inserted after the word 'stages' or 'stage' as per section 25 (b) & (c) of the Chittagong Port (Amendment) Ordinance, 1960.

(Chapter V.—General Powers of the Trustees—Sec. 46—49)

**Tolls and charges
in the case of
railway jetties.**

**Power to trustees
to order re-
moval of vessels
from docks, whar-
ves, etc.**

¹ 48. (1) The Trustees may, by notice in writing, order the master or owner of any vessel to remove such vessel from any dock, wharf, quay, stage, mooring, jetty or pier belonging to the Trustees.

(2) Unless such vessel is removed therefrom within twenty four hours after service of such notice on the master or owner thereof, the Trustees may charge, in respect of such vessel, such sum as they think fit, not exceeding two thousand rupees for each day of twenty-four hours, or portion of such day after the expiry of such twenty-four hours, during which such vessel remains at such dock, wharf, quay, stage, mooring, jetty or pier.

**Power to Central
Government to exempt
from obligation to use
docks, wharves, etc.**

49. Notwithstanding anything contained in this Chapter, the [Central Government] may, by notification from time to time permit certain specified vessels or classes of vessels to discharge or ship cargo, or certain specified cargo or classes of cargo, at such part of the port, in such manner, during such period, subject to such payments and on such conditions as the [Central Government] may think fit, and otherwise grant exemption from any of the provisions of this Chapter.

* Omitted as per section 26 of the Chittagong Port (Amendment) Ordinance, 1960.

¹ The word 'mooring' is inserted after the word 'stage' the words 'or to the Eastern Bengal Railway' is omitted and the words 'two thousand rupees' are substituted for the words 'five hundred rupees' as per section 27 of the Chittagong Port (Amendment) Ordinance, 1960.

V OF 1914]

The Chittagong Port Act.

(Chapter V.—General Powers of the Trustees—Sec. 50)

¹ 50. (1) Whenever any goods are landed by the Trustees from any vessel, the Trustees shall, if so required, give to the master of such vessel a receipt in the form or to the effect set forth in the Second Schedule to this Act, and may in any such receipt include all goods landed from such vessel during one day.

Discharge of liability
on goods landed.

(2) No master or owner of a vessel from which the goods, in respect of which a receipt is given under sub-section (1), may have been landed shall be liable for any loss or damage to such goods which may occur after they have been so landed.

² 50 A. Responsibility of Board for loss, etc.—(1) The responsibility of the Board for the loss, destruction or deterioration of animals or goods, whether landed for import or received for export during such time as the same remain in the possession or under the control of the Board, shall, subject to the other provisions of this Act, and in the case of animals or goods, received subject also to the provisions of the Railways Act, 1890 (IX of 1890), be that of a bailee under sections 151, 152 and 161 of the Contract Act, 1872 (IX of 1872), omitting the words "in the absence of any special contract" in section 152 of the last-mentioned Act.

(2) With the previous sanction of the Central Government and under such circumstances and the conditions as the Central

¹ The words 'or by the Eastern Bengal Railway' and the words 'or the Eastern Bengal Railway, as the case may be' are omitted as per section 28 of the Chittagong Port (Amendment) Ordinance, 1960.

² Section 50A is inserted as per section 29 of the Chittagong Port (Amendment) Ordinance, 1960.

(Chapter V—General Powers of the Trustees—Sec. 50)

Government may prescribe, the Board may enter into an agreement relating to animals or goods landed for import or received for export, which may impose upon the Board a greater or lesser responsibility than that imposed by sub-section (1).

(3) Every such agreement shall be in writing, and shall be signed by, or on behalf of, the Board.

¹ 50 B. Board to take charge of goods—(1) The Board shall, immediately upon the landing of any goods on the port take charge thereof, and store such of the goods as may be liable to damage or deterioration by exposure in any shed or warehouse belonging to the Board.

(2) If any consignee or owner of the goods landing on the port, without any default on the part of the Board, fails to remove such goods not being goods stored in a warehouse licensed under section 16 of the Sea Customs Act, 1878 (VIII of 1878), from the premises of the Board, within five clear working days of their landing, such goods shall thereafter remain on the premises of the Board at the sole risk and expense of the consignee or owner.

(3) The Board may give notice to such consignee or owner as aforesaid (if his address is known) by letter sent to his address by post or otherwise, that the liability of the Board, if any, in respect of such goods has ceased to exist, and such notice may also be published in one or more daily newspapers shall specify as far as possible the numbers, marks and description of such goods.

¹ Section 50B is inserted as per section 29 of the Chittagong Port (Amendment) Ordinance, 1960.

V OF 1914] *The Chittagong Port Act.*

(*Chapter V.—General Powers of the Trustees-Sec. 50—52*)

(4) A notice under sub-section (3) shall be given or published at the expense of the consignee or owner, and failure to give or publish any such notice shall not have the effect of continuing, reviving or enhancing the liability of the Board in any manner.

¹ 51. Where under the provisions of any act for the regulation of duties of Customs, any dock, wharf, quay, stage, mooring, jetty, pier, warehouse or shed, provided under this Act for the use of sea-going vessels, is appointed to be a dock or wharf for the landing or shipping, or a warehouse for the storing of goods within the meaning of such Act,

Accommodation for
Customs officers on
docks, wharves, etc.

the Trustees shall set apart, maintain and secure on or in such dock, wharf, quay, stage, mooring, jetty, pier, warehouse or shed such portion thereof, or place therein, or adjoining thereto, for the use of the officers of Customs as the Central Government may approve of or appoint in that behalf.

¹ 52. Notwithstanding that any dock, wharf, quay, stage, mooring, jetty, pier, warehouse or shed or portion thereof has, under the provisions of section 51, been set apart for the use of the officers of Customs, all dues, rates, tolls, charges and rents payable under this Act in respect thereof, or for the use thereof, or for the storage of goods therein, shall be paid and be payable to the Trustees, or to such persons as they may appoint to receive the same.

Dues at
Customs docks,
wharves, etc.

¹ The word 'mooring' is inserted after the word 'stage' as per section 30 of the Chittagong Port (Amendment) Ordinance, 1960.

(Chapter V.—General Powers of the Trustees—Sec. 53—55)

Registration of cargo-boat traffic.

53. (1) The master of every vessel entering or leaving the port to which the provisions of the Sea Customs Act, 1878, in regard to entering or clearing at a Customs House, do not apply shall be bound to stop at one or other of the stations established by the Trustees for the registration of river-borne traffic, and forthwith to make a full and true declaration of the nature and value of the cargo at the time being carried by him on such vessel.

VIII of 1878.

(2) No such master shall withdraw his vessel from any such station until he has received from the clerk in charge of the same a pass on which the particulars of the nature and value of the cargo so being carried shall be recorded.

Private Docks, Wharves, etc.

Prohibition of private docks, wharves, etc.

54. (1) Save as provided in section 55, no person except the Trustees shall, after the commencement of this Act, make, erect or fix below high-water mark within the port any dock, wharf, quay, stage, jetty, pier, erection or mooring.

BEN.
Act IV
of 1887.

(2) Any matter or thing made, erected or fixed in contravention of the provisions of sub-section (1) or of section 30 of the Chittagong Port Act, 1887, may be removed by the Trustees, and the person by whom the same is being or has been so made, erected or fixed shall be liable to pay all expenses which may be incurred by the Trustees in such removal.

Power to Trustees permit Private docks, wharves, etc.

55. The Trustees may, by an order in writing and subject to the conditions contained in the same, permit any person to make, erect or fix below high-water mark within the port, or abutting on the river, any dock, wharf, quay, stage, jetty, pier, erection or mooring.

56. Any dock, wharf, quay, stage, jetty, pier, erection or mooring made, erected or fixed below high-water mark without the limits for the time being of the port and thereafter included within the said limits may be removed, filled up or destroyed by the Trustees without payment of any compensation,

Docks, wharves, etc. beyond port limits.

unless such dock, wharf, quay, stage, jetty, pier, erection or mooring was made, erected or fixed —

- (i) prior to the twenty-fifth day of April, 1888, or
- (ii) with the consent in writing of the Trustees constituted under the Chittagong Port Act, 1887, or
- (iii) with the consent in writing of the [Provincial Government].

Ben.
Act IV
of 1887

Tools and Charges

57.(1) The Trustees shall frame —

[(a) a scale of tolls, dues, rates, and charges, annual or other to be paid by the owners of vessels plying, whether for hire or not and whether regularly or occasionally, within or partly within and partly without the limits of the Port in respect of such vessels and of persons whether in charge of, or on board, such vessels, and also in respect of the licensing, registration and regulation of such vessels and person :

Scales of tools and charges to be framed

Provided that no such tolls, dues, rates and charges shall be chargeable in respect of vessels which are liable to Port dues under the provisions of Schedule 1 to the [Ports Act, 1908]

XV of
1908,

(Chapter V.—General Powers of the Trustees—Sec. 57)

[(b)] a scale of tools, dues, rates and charges —

- (i) for the landing and shipment of goods from and in sea-going vessels, and vessels not being sea-going vessels, respectively, at such docks, wharves, quay, stages, moorings, jetties and piers as belong to the Trustees.
- (ii) for the use of such docks, wharves, quays, stages, moorings, jetties and piers by such vessels,
- (iii) for the storing and keeping of any goods stored in any premises belonging to the Trustees,
- (iv) for the removal of goods, and
- (v) for the use of any mooring;
- (c) a scale of tools for the use of the said docks, wharves, quays, moorings, stages, jetties and piers by any such vessels, in case the Trustees permit the goods to be landed or shipped by persons other than their own officers and servants; and
- (d) a scale of charges for —
 - (i) any service to be performed by the Trustees or their servants in respect of any vessels or goods,
 - (ii) the use of any works or appliances to be provided by the Trustees, and
 - (iii) for the carrying of passengers and their personal effects on vessels belonging to, or hired by, the Trustees.

V OF 1914] *The Chittagong Port Act.*(*Chapter V.—General Powers of the Trustees-Sec. 57—58*)

(2) Such scales shall be submitted to the [Central Government], and after, approval or modification by the [Central-Government], shall be published in the [Official Gazette].

¹ (3) Every such scale shall be printed in the English, Urdu and Bengali languages and characters, and shall be kept hung up in some conspicuous place at the several docks, wharves; quays, stages, moorings, jetties, piers, warehouses and sheds.

58. (1) The Trustees may, with the previous sanction of the [Central Government] by notification impose a river-due on all goods landed from or shipped into any sea-going vessel lying or being within the limits of the port, whether such goods shall or shall not be so landed or shipped at any dock, wharf, quay, stage, mooring, jetty or pier belonging to the Trustees.

3 * * * * * * *

Power to Trustees
to impose river-
due and to alter
the rates
thereof.

(3) * * * * * , the Trustees may, with the previous sanction of the [Central Government], from time to time, by notification, raise or reduce the rate to be imposed, whether generally or on any particular goods or class of goods.

(4) Before issuing any notification under this section, the Trustees shall publish a draft of the same together with

¹ The word 'Urdu' is inserted after the word 'English' as per Section 31 of the Chittagong Port (Amendment) Ordinance 1960.

(Chapter V.—General Powers of the Trustees—Sec. 58—59)

a notice specifying a date on or after which the draft will be taken into consideration; and shall receive and consider any objection or suggestion which may be made by any person with respect to the draft before the date so specified.

¹ (5) Every notification under this section and every draft thereof shall be published in the [Official Gazette] and a copy of the notification, as finally settled, shall be printed in the English, Urdu and Bengali languages and characters and shall be kept hung up at some conspicuous place to be appointed by the Trustees.

Power to Trustees
to levy customs
duty on jute exported
by sea

59. [A customs duty shall be levied and collected by the Trustees] on all jute exported by sea from the Port of Chittagong to any other port whether beyond or within [Pakistan] at such rate not exceeding,—

- (a) in the case of raw jute (including jute cuttings and rejections), two annas per bale of four hundred pounds, and
- (b) in the case of manufactured jute, twelve annas per ton of two thousand two hundred and forty pounds, as the [Central Government] may prescribe by notification:

Provided further that the [Central Government] may, by notification, exempt from the levy of such duty jute shipped to any specified port in [Pakistan].

¹ The word 'Urdu' is inserted after the 'English' as per Section 31 of the Chittagong Port (Amendment) Ordinance, 1960.

60. (1) For the amount of all tolls, dues, rates, duties and charges leviable under this Act in respect of any goods, the Trustees shall have a lien on such goods, and shall be entitled to seize and detain them until such tolls, dues, rates, duties and charges are fully paid.

Trustees lien
for tolls and
charges.

(2) Tolls, dues, rates, duties and charges in respect of goods to be landed shall become payable immediately on the landing of the goods, and, in respect of goods to be removed from the premises of the Trustees or to be shipped for export, shall be payable before the goods are removed or shipped.

(3) The lien provided in sub-section (1) for such tolls, dues, rates, duties and charges shall have priority over all other liens and claims, except—

- (a) a lien for freight, primage and general average where such lien has been preserved in the manner hereinafter provided, and
- (b) a lien for money payable [to the Crown] under any law for the time being in force.

1 61. (1) If the master or owner of any vessel, at or before the time of landing from such vessel of any goods at any dock, wharf, quay, stage, mooring, jetty or pier, gives to the Trustees notice in writing that such goods are to remain subject to a lien for freight, primage or general average of an amount to be mentioned in such

Ship-owner's lien
for freight.

¹ The word 'mooring' is inserted after the word 'stage' as per section 34 of the Chittagong Port (Amendment) Ordinance, 1960.

notice, such goods shall continue liable after the landing thereof to such lien.

(2) Such goods shall be retained either in the warehouses or sheds of the Trustees, or, with the consent of the [Customs-Collector] of the port in the public warehouses, at the risk and expense of the owners of the said goods, until the lien is discharged in the manner provided by section 62.

**Discharge of
Ship-owner's lien
for freight.**

62. Upon the production to any officer appointed by the Trustees in that behalf of a document purporting to be a receipt for, or a release from, the amount of such lien, executed by the person by or on whose behalf such notice has been given, the Trustees may permit such goods to be removed without regard to such lien:

Provided that they shall, in every case, use reasonable care in respect to the authenticity of such document.

**Power to Trustees
remove goods to
warehouses.**

1 63. (1) Whenever goods have, without any default on the part of the Trustees been left for 5 clear days on or in any wharf or shed belonging to the Trustees, the Trustees, may cause such goods to be removed either to any warehouse belonging to them, or with the consent of the [Customs-Collector] of the port, to the public ware-houses, and the removal and detention in any such warehouse shall be at the risk and expense of the owners of the said goods.

¹ The word 'five' is substituted for the word 'two' as per section 34 (a) of the Chittagong Port (Amendment) Ordinance, 1960.

(2) Whenever any goods are so removed, the Trustees shall give notice to the consignee or owner of such goods of such removal, if his address be known, by letter sent by post to such address, or left thereat; and shall also publish in the [Official Gazette], and in one or more local newspapers (if any), notice of such removal, and shall specify therein the numbers, marks, and descriptions of such goods so far as the same appear.

¹ (3) The consignee or owner of such goods, in addition to the expenses of their removal, shall be liable,—

(a) in case the goods are removed to any warehouse or open storage of the Trustees, to a charge for warehousing or open storaging for the time during which the goods shall remain in the said warehouse or open storage; or,

(b) in case the goods are removed to the public warehouses, to the charge for warehousing or open storaging goods in such warehouses or open storage.

(4) If such goods are removed to the public warehouses or open storage the said goods shall remain subject to all liens to which they would have been liable if they had remained in the possession of the Trustees, and shall be subject to the power of sale mentioned in section 64.

¹ The words 'or open storage' are inserted after the word 'warehouse' as per Section 34 (b) of the Chittagong Port (Amendment) Ordinance 1960.

Recovery by the
Trustees of tolls
and charges by
sale of goods.

¹ 64. (1) If the tolls, dues, rates, duties and charges payable to the Trustees in respect of any goods under this Act are not paid, or,

if the lien for freight, primage or general average, where such notice as aforesaid has been given, is not discharged, the Trustees may, and in the latter event, if required by or on behalf of the person claiming such lien for freight, primage, or general average, shall, at the expiration of 2 months from the time when the goods were placed in their custody, sell by public auction the said goods or so much thereof as may be necessary to satisfy the amounts directed in section 65 to be paid out of the proceeds of such sale.

(2) Before making such sale, 'ten days' notice shall be given by publication thereof in the [Official Gazette] and in one or more local newspapers (if any).

(3) If the address of the owner of the goods has been stated on the manifest of the cargo, or in any of the documents which have come into the hands of the Trustees or is otherwise known, notice shall also be given to the owner of the goods by letter delivered at such address or sent by post.

(4) Notwithstanding anything contained in sub-section (1), sub-section (2) or sub-section (3), if such goods are of so perishable a nature as, in the opinion of the officer appointed by the Trustees in that behalf, to render early or immediate

¹ The words 'two months' are substituted for words 'four months' as per section 35 of the Chittagong Port (Amendment) Ordinance, 1960.

sale necessary or advisable, the Trustees may, within such period not less than twenty-four hours after the landing of the goods as they think fit, sell by public auction the said goods or such portion of them as aforesaid, in which event such notice, if any, shall be given to the owner of the goods as the urgency of the case admits of.

5. The title of a *bonafide* purchaser of goods sold under this section shall not be invalidated by reason of any omission to give or send the notice prescribed by sub-section (3) or sub-section (4), nor shall any such purchaser be bound to inquire whether such notice has been sent or given.

65. (1) The proceeds of every such sale shall be applied as follows :—

Application of
sale proceeds.

- (a) in payment of the expenses of the sale;
- (b) in payment, according to their respective priorities, of the liens and claims excepted in this Chapter from the priority of the lien of the Trustees;
- (c) in payment of the tolls, dues, rates and charges of landing, removing, storing or warehousing the goods, and of all duties or other charges due to the Trustees in respect thereof.

(2) The surplus, if any, shall be paid to the importer, owner or consignee of the goods, or to his agents, on his applying for the same :

Provided that such application is made within one year from the sale, or reason is shown to the satisfaction of the Trustees why such application was not so made;

and in case such application shall not be so made, nor reason shown, such surplus shall be held by the Trustees upon trust for the purposes of this Act.

Recovery by
Trustees of tolls
and charges by
distraint for vessel.

¹ 66. If the master of any vessel, in respect of which any tolls, dues, rates, charges or penalties are payable under this Act, or any by-laws or orders made in pursuance thereof, refuses or neglects to pay the same, or any part thereof, on demand, the Trustee may;

distain or arrest such vessel and the tackle, apparel and furniture belonging thereto, or any part thereof, and detain the same until the amount so due to the Trustees is paid;

and in case any part of the said tolls, dues, rates, charges or penalties, or of the costs of distress or arrestment, or of the keeping of the same, remains unpaid for the space of 15 days next after any such distress or arrestment has been so made, the Board may cause the vessel or other thing so distrained or arrested to be sold, and with the proceeds of such sale shall satisfy such tolls, dues, rates, charges or penalties and costs including the costs of sale remaining unpaid, rendering the surplus (if any) to the master of such vessel on demand.

¹ The words "apply to the Customs Collector of the Port and such Collector shall" are omitted, the words '15 days' are substituted for the words '5 days' and the word 'Board' is substituted for the words "Customs Collector of the Port" occuring for the 2nd time as per section 36, (a), (b) & (c) of the Chittagong Port (Amendment) Ordinance, 1960.

67. If the Trustees give to the Officer of Government, whose duty it is to grant the port-clearance of any vessel, a notice stating that an amount therein specified is due in respect of tolls, dues, rates, duties, charges or penalties chargeable under this Act, or any rules or orders made in pursuance thereof against such vessel, or by the owner or master of such vessel in respect thereof, or against or in respect of any goods on board such vessel,

Port-clearance not
to be granted until
tolls, etc., are paid.

such officer shall not grant such port-clearance until the amount so chargeable has been paid.

Compensation for damage to Port property.

68. (1) In case any damage or mischief is done to any docks, wharves, quays, jetties, stages, moorings, piers or works constructed or acquired by the Trustees under this Act by any vessel, through the negligence of the master thereof, or of any of the mariners or persons employed therein, any Magistrate of the town of Chittagong may, on the application of the Trustees, and on declaration by them that payment for such damage or mischief has been refused or has not been made on demand, issue a summons to the master or owner of such vessel, requiring him to attend on a day and at an hour named in the summons to answer touching such damage or mischief:

Compensation for
damage to property
of Trustees.

Provided that, if at the time of the damage or mischief, the vessel was under the orders of a duly-authorised officer belonging to the Pilot Service, or the Harbour-Master's department, as the case may be, the case shall not be cognizable by the Magistrate under this section.

(*Chapter V.—General Powers of the Trustees—Chapter VI.—Property of the Trustees—Sec. 68—69.*).

¹ (2) If at the time appointed in the summons, and whether the person summoned appears or not, it is proved that the alleged damage was done through such negligence as aforesaid, and that the pecuniary amount of the same does not exceed two thousand rupees,

the Magistrate may issue his warrant of distress, under which a sufficient portion of the boats, masts, spars, ropes, cables, anchors or stores of the vessel may be seized and sold to cover the expenses of and attending the execution of the distress and the pecuniary amount of damage as aforesaid,

and such amount shall be paid to the Trustees out of the proceeds.

CHAPTER VI. PROPERTY OF THE TRUSTEES

Power to Trustees
to hold and
dispose of property.

69. The Trustees may, for the purposes of this act, acquire and hold movable and immovable property within or without the limits of the port;

and may lease, mortgage, sell or exchange such property:

² Provided that no sale of immovable property and no lease or alienation thereof for a term exceeding 25 years shall

¹ The words 'two thousand rupees' are substituted for the words 'five hundred rupees' as per section 37 of the Chittagong Port (Amendment) Ordinance 1960.

² The words '25 years' are substituted for the word '10 years' as per section 38 of the Chittagong Port (Amendment) Ordinance 1960.

be valid unless such sale, lease or alienation shall have been made with the previous sanction of the [Central Government].

70. The property specified in the Third Schedule shall be vested in the Trustees, and shall be held by them subject to the provisions of this Chapter.

Property vested in the Trustees.

¹ [71]. (1) If any portion of the property specified in Part I of the Third Schedule, or which may have been transferred, by the [Provincial Government] to the Trustees after the 1st day of July, 1914, or which may hereafter be so transferred, otherwise than in exchange for its market value, is required by the [Provincial Government] for a public purpose, it may be resumed by that Government, with the previous sanction of the [Central Government], without claim to compensation on the part of the Board except—

Resumption of property by Government.

- (a) for the amount of any consideration or other payment made in respect of the transfer to the Trustees of the property to be resumed,
- (b) for the cost of revetment and other works for the protection of the property to be resumed, effected by the Board or their lessees subsequent to the transfer, and
- (c) for the cost of buildings and other permanent structures on the property to be resumed, erected by the Board or their lessees, subsequent to the transfer :

¹ The word 'Board' is substituted for the word 'Port Commissioners' as per section 39 of the Chittagong Port (Amendment) Ordinance, 1960.

Provided that -

(i) the compensation to be awarded under clause (b) shall not in any case exceed the market value of the land to be resumed at the time of the resumption ; and

(ii) the compensation to be awarded under clause (c) shall be either the original cost of the building or structure or the market value thereof at the time of the resumption, whichever is less.

(2) If any question arises between the Trustees and the [Provincial Government] as to the boundaries of any portion of the land specified in Part I of the Third Schedule, or which may have been transferred by the [Provincial Government] to the Trustees after the 1st day of July, 1914, or which may hereafter be so transferred, otherwise than in exchange for its market value, the [Provincial Government] may define and demarcate such boundaries, and submit the case for the orders of the [Central Government], whose decision shall be final.

(3) If any question arises as to the adequacy of the compensation proposed to be paid under clause (a), clause (b) or clause (c) of sub-section (1), the [Provincial Government] shall submit a report to the [Central Government], whose decision shall be final.

(4) If any question arises as to the necessity of the resumption of any land under this section, or as to the relative importance of such land to the [Provincial Government] and to the Trustees, the [Provincial Government] shall submit a statement of the case to the (Central Government) whose dicision shall be final.

(*Chapter VI.—Property of the Trustees—Chapter VII.—*)*Borrowing Powers.—Sec. 72—75)*

72. When any land is required for the purposes of this Act, the [Provincial Government] may, on the request of the Trustees, proceed to acquire it under the provisions of the Land Acquisition Act, 1894; and, on payment by the Trustees of the compensation awarded under that Act and of the charges incurred by the [Provincial Government] in connection with the proceedings, the land shall vest in the Trustees.

Acquisition of land.

73. All property vested in, or acquired or held by, and all moneys paid or payable to the Trustees, shall be held and applied by them in trust for the purposes of this Act.

Property to be in trust.

CHAPTER VII.

BORROWING POWERS.

74. The Trustees may, [with the previous sanction of the Central Government and after notification in the Official Gazette] raise money required for the carrying out of works which they are authorised by this Act to carry out, or for the general purposes of this Act, or for the purpose of repaying, either in whole or in part, any money heretofore or hereafter borrowed or owing by the Trustees:

Power to Trustees to borrow.

75. All loans raised under this Act shall be raised on the security of—

Security for moneys raised under this Act.

(a) the property now vested, or which may hereafter become vested, in the Trustees; and

(Chapter VII.—Borrowing Powers.—Sec. 75—76).

(b) the tolls, dues, rates, rents and charges leviable under this Act, less any sums set apart by the Trustees as a sinking fund for the purpose of paying off a loan.

Form and transferability of debentures and the rights of Government and of debenture-holders.

76. (1) All debentures issued under this Act shall be in such form as the Trustees shall from time to time determine:

Provided that, in the case of loans raised out of [Pakistan], the form of the debentures shall require the previous sanction of the Central Government.

(2) The holder of any debenture in any form duly authorised under this section may obtain in exchange therefore, upon such terms as the Trustees shall from time to time determine, a debenture in any other form so authorised.

(3) Every debenture issued by the Trustees shall be transferable in such manner as shall be therein expressed.

(4) All coupons attached to debentures issued under this Act shall bear the signature of the Chairman or Vice-Chairman, and such signature may be engraved, lithographed or impressed by any mechanical process.

(5) The right to sue in respect of moneys secured by such debentures shall be exercisable by the holders thereof for the time being, without any preference by reason of some of such debentures being prior in date to others.

(6) The [Crown] shall have, in respect of all loans made by [it] to the Trustees, the same remedies as debenture-holders; but [it] shall not be deemed to possess any prior or greater rights in respect of such loans than debenture-holders.

Ben.
Act IV
of 1887.

77. All loans contracted under the Chittagong Port Act, 1887, or under this Act, and repayable by the Trustees, shall be a first charge on the income of the Trustees and on the property now vested, or which hereafter may become vested, in the Trustees.

Loans a first charge.

178. (1) In respect of every loan raised by the Trustees after the passing of this Act, for a term exceeding one year [except a loan taken from the Secretary of State for India in Council] [or any Government], the Trustees shall provide a sinking fund. Payments shall be made half-yearly to such sinking fund, and such payments shall be of such amounts as will be sufficient to liquidate the loan within such period not exceeding 60 years from the date of the contracting of the same as the Central Government may in each case direct.

Establish-
ment of
sinking fund.

(2) The Trustees may apply the whole or any part of the sums accumulated in the sinking fund in or towards the discharge of the moneys for the repayment of which the fund has been established, provided that they pay into the fund in each year, and accumulate until the whole of the moneys borrowed are discharged, a sum equivalent to the interest which would have been produced by the sinking fund, or the part of the sinking fund so applied.

¹ The words "within such period not exceeding sixty years from the date of the contracting of the same as the Central Government may in each case direct" are substituted for the words "within a period which shall not exceed thirty years or with the previous sanction of the Central Government sixty years" as per section 40 (a) of the Chittagong Port (Amendment) Ordinance, 1960.

*The Chittagong Port Act.***BEN. ACT**(*Chapter VII.—Borrowing Powers-Sec. 78—80*)

¹ (3) The sums so set apart as a sinking fund shall be invested in securities of the [Central Government] or in the Board's debenture, or in such other securities as the [Central Government] may approve in this behalf, and shall be held in trust for the purposes of this Act by two trustees, one being the Trustees and the other a person appointed by the [Central Government].

**Annual examination
of sinking fund.**

² 79. (1) The sinking fund established for the liquidation of any loan shall be subject to annual examination by the Accountant-General, East Pakistan who shall ascertain whether the cash and the current value of the securities at the credit of the fund are actually equal to the amount which would have accumulated had investments been regularly made, and had the rate of interest as originally estimated been obtained thereon.

(2) The Trustees shall forthwith pay into the sinking fund any amount which the Accountant-General may certify to be deficient, unless the [Central Government] specially sanctions a gradual re-adjustment.

**Powers to Trustees
to repay loans to
Government before
due date.**

80. The Trustees may apply any sums which can be so applied without prejudicing the security of the other debenture-holders of the Trustees in repaying to the [any Government] any sum which may remain due to [it] in respect of the principal of any [loans contracted before the 1st day of

¹ The words ' Boards debentures ' are substituted for the words ' Commissioners debentures ' as per section 40 (b) of the Chittagong Port (Amendment) Ordinance, 1960.

² The words ' East Pakistan ' are substituted for the words ' East Bengal ' as per section 41 of the Chittagong Port (Amendment) Ordinance, 1960.

Januray, 1939], although the time fixed for the repayment of the same may not have arrived :

Provided as follows :

(1) No such repayment shall be made of any sum less than five thousand rupees ;

(2) If such repayment is made, the amount of interest in each succeeding instalment shall be adjusted so as to represent exactly the interest due on the outstanding principal.

Disposal of unexpended balances.

81. The unexpended balance, if any, of any loan raised for the carrying out of works shall,—

(1) In the case of loans made by the [any Government], be repaid, and the principal of the debt correspondingly reduced ; and

(2) in the case of loans raised in the open market, unless the application of such unexpended balance to other capital expenditure be sanctioned by the authority which sanctioned by the raising of the loan,—

(a) be utilised in purchasing in the open market, and cancelling, debentures issued by the Trustees, or

(b) be paid into the sinking fund established for the liquidation of such loan.

CHAPTER VIII.
DISPOSAL OF FUNDS.

Banking of moneys.

82. (1) Except as provided in section 83, all moneys raised by and paid to the Trustees under this Act shall be kept in such bank or banks as may be selected by the Trustees in meeting subject to the previous approval of the [Central Government] :

Provided that any surplus moneys not immediately required for the purposes of this Act, but which may be so required after such a short period as would, in the opinion of the Trustees, prevent an advantageous investment thereof under the provisions of section 83 may from time to time, with the sanction of the [Central Government], be deposited by the Trustees on interest in any bank or banks * * * selected for that purpose by the Trustees.

¹ (2) No drawals from the bank, or disbursement of such monies or part thereof, shall be made, except upon a cheque signed by the Deputy Chief Accounts Officer, where the amount does not exceed five hundred rupees, and by the Chief Accounts Officer, where the amount exceeds five hundred rupees but does not exceed five thousand rupees, and by the Chief Accounts Officer and the Chairman (or in his absence, the Vice-Chairman) jointly where the amount exceeds five thousand rupees :

Provided that the salaries of officers and servants of the Board may be disbursed in cash;

¹ Substituted as per Section 42 of the Chittagong Port (Amendment) Ordinance, 1960.

Provided further that in every department, sums not exceeding one hundred rupees in any one case may be paid in cash by such officer as the Board may appoint in this behalf, and to cover such payments, cheques for sums not exceeding five thousand rupees each signed as aforesaid, shall from time to time be drawn in favour of such officer.

83. The Trustees may invest—

- 1(i) any balance remaining at the end of each financial year to the credit of any account kept by them, after meeting all the charges properly debitible to such account; and
- (ii) any moneys set aside for any special purpose or for the maintenance of any approved fund considered desirable by them,

Investment of
balances and
special funds.

in securities of the [Central Government] * * * or in such other securities as the [Central Government] may approve in this behalf; and may from time to time sell the said securities and invest the proceeds in other such securities, or credit the same to the account to which the moneys invested belonged for expenditure on any of the purposes to which moneys credited to such account may lawfully be applied :

¹ The words 'at the end of each financial year' are substituted for the words 'on the 31st March, of each year' as per Section 43 of the Chittagong Port (Amendment) Ordinance, 1960.

(*Chapter VIII—Disposal of Funds—Sec. 83—84*).

Provided that the amount so invested by the Trustees in respect of any account shall not exceed such amount, annually or in the aggregate, as may be prescribed by the [Central Government] :

Application of
moneys.

84. The moneys belonging to the Trustees shall be applied by them in payment of the following charges, and, in the case of a deficiency of assets, such charges shall rank as against the fund of the Trustees and be paid in the following order, namely :—

- (1) The interest and instalments of capital due in respect of any loan that may have been raised by the Trustees or for the repayment of which the Trustees may be liable;
- (2) the salaries, fees, allowances, pensions, gratuities, compassionate allowances or other moneys due to—
 - (i) The Chairman and the Trustees,
 - (ii) the officers and servants appointed or maintained under this Act or lent to the Trustees, and
 - (iii) the surviving relatives, if any, of such officers and servants;

and the contributions, if any, payable to [any Government] on account of the pension and leave allowance of any officer lent to the Trustees [by that Government] and the contributions, if any, duly authorised to be made to any provident or annuity fund by by-laws made under this Act;

- (3) any charges for which the Trustees may be liable under sections 99 and 100;

(*Chapter VIII—Disposal of Funds—Sec. 84*)

(4) such sum as [may be required] under section 85 for the establishment and maintenance of police for the protection of the port and the approaches thereto;

(5) If the Trustees are appointed by a notification of the [Provincial Government] to exercise the powers and perform the duties specified in section 36, sub-section (1), of the Ports Act 1908, any other payment or expenditure mentioned in sub-section (5) of that section which the [Central Government] may direct the Trustees to make or incur;

(6) the cost of repairs and maintenance of the property vested in the Trustees, and all charges upon the same and all working expenses;

(7) the cost of the construction and carrying out of any of the works specified in section 38; [and]

(8) "any charge which may be specially sanctioned by the Central Government on the application of the Trustees or for which the Trustees may be legally liable"; [and]

¹ (9) Contributions to any welfare funds which may be established for the benefit of the officers and servants of the Trustees:

Provided that any contribution to a welfare fund established for the benefit of officers and servants drawing not less than 5 hundred rupees a month shall not exceed the amount accruing from the following sources, viz :—

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¹ The words 'five hundred rupees' are substituted for the words 'two hundred and fifty rupees' as per Section 44 of the Chittagong Port (Amendment) Ordinance, 1960.

(*Chapter VIII.—Disposal of Funds—IX—Estimates and Accounts—Sec. 84—86*)

- (i) fines realized from such officers and servants;
- (ii) unclaimed salary of such officers and servants; and
- (iii) forfeiture of contributions to the provident fund in respect of such officers and servants].

Cost of Port Police.

85. The Trustees shall provided such sums as the [Central Government] and the [Provincial Government may from time to time, agree upon as a reasonable] contribution for the establishment and maintenance of police to be called "Port Police" for the portection of the port and the approaches to the port.

CHAPTER IX.**ESTIMATES AND ACCOUNTS.**

Annual estimate to be prepared and considered.

¹ 86. (1) The Chairman shall at a special meeting of the Board to be held not later than sixty days before the commencement of the next ensuing financial year, place before the Board an estimate of the income and expenditure of the Board for such financial year, in such details and form as the Board may subject to the approval of the Central Government from time to time direct; and

¹ Sub-section (1) of Section 86 is substituted as per Section 45 (a) of the Chittagong Port (Amendment) Ordinance, 1960.

(Chapter IX.—Estimates and Accounts—Sec. 86—87)

(2) To such estimate there shall be added—

- (i) an appendix containing particulars of all new works covered by the estimates and of the estimated cost of the same; and
- (ii) the schedule of officers and servants sanctioned under section 33.

¹ (3) Such estimate shall be completed and a copy thereof sent by post or otherwise to each Trustee at least ten clear days prior to the meeting before which the estimate is to be laid.

(4) The Trustees shall consider the estimate so submitted to them, and shall pass the same unaltered or subject to such alterations as they may think fit.

² 87. (1) A copy of the estimate, as passed by the Trustees, shall be submitted for approval to the [Central Government], and the [Central Government] may, if [it thinks] fit, approve or disallow such estimate or any portion thereof, and return the same for amendment at any time within 45 days of the receipt thereof.

Submission and publication of estimate.

(2) The Trustees shall, if the estimate is so returned by the [Central Government], forthwith proceed to amend the same, and shall resubmit the estimate so amended for approval to the [Central Government].

¹ The word 'ten' is substituted for the word 'seven' as per Section 45 (b) of the Chittagong Port (Amendment) Ordinance, 1960.

² The words 'forty five days' are substituted for the words 'one month' as per section 46 of the Chittagong Port (Amendment) Ordinance, 1960.

(*Chapter IX—Estimates and Accounts—Sec. 87—90*).

(3) A Copy of the estimate, as passed by the Trustees, and a copy of the estimate as finally approved by the [Central Government] shall be open to the inspection of the public at the office of the Trustees during office hours on payment of one rupee for each inspection.

(4) An abstract of the estimate, as finally approved by the [Central Government], shall be published in the [Official Gazette].

Supplementary estimates.

88. (1) The Trustees may, at any time during the year for which such estimate has been sanctioned, cause a supplementary estimate to be prepared and submitted to them.

(2) Every such supplementary estimate passed by the Trustees shall be submitted for approval to the [Central Government] in the same manner, and the provisions of section 87, shall apply to it, as if it were an original annual estimate.

Re-appropriation of amounts in estimate.

89. Subject to any directions which the [Central Government] may give in this behalf, any sum of money, or part thereof, of which the expenditure has been authorised in an estimate sanctioned under the foregoing provisions, and which has not been so spent, may at any time be re-appropriated by the Trustees to meet any excess in any other expenditure authorised in the said estimate :

Provided that the total amount of expenditure sanctioned by such estimate, as passed by the Trustees and approved by the [Central Government], shall not be exceeded without the sanction of the [Central Government].

Prohibition of expenditure not provided for in estimates.

90. Save in cases of pressing emergency, no sum shall be expended by or on behalf of the Trustees, unless such expenditure is provided for in an estimate sanctioned under

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The Chittagong Port Act.(*Chapter IX.—Estimates and Accounts—Sec. 90—94*)

this Chapter and at the time in force, or by a re-appropriation amending such estimate passed by the Trustees under section 89.

91. If any sum exceeding a total in the year of 25 thousand rupees shall be so expended in cases of pressing emergency, the circumstances shall be reported by the Chairman to the [Central Government], together with an explanation of the way in which it is proposed by the Trustees to cover such expenditure.

Report of exceptional expenditure to Central Government.

92. No expenditure shall be charged by the Trustees to capital account, except with the sanction of the [Central Government].

Capital expenditure.

93. The accounts of the Trustees shall be examined and audited in such manner as the [Central Government] may direct.

Audit of accounts.

94. (1) The Trustees shall annually, or oftener if directed by the [Central Government] so to do, submit statements of their receipts and disbursements in such form and at such time as the [Central Government] may direct.

Submission of accounts to Central Government.

(2) A copy of all such statements shall be open to the inspection of the public at the office of the Trustees during office hours on payment of one rupee for each inspection.

¹ The words 'twenty five thousand rupees' are substituted for the words 'two thousand five hundred rupees' as per section 47 of the Chittagong Port (Amendment) Ordinance, 1960.

(Chapter X.—Control of Government—Sec. 95—97)

CHAPTER X.

CONTROL OF GOVERNMENT.

Control of Central Government over Trustees Acts and proceedings.

Annual and other reports.

Power to Central Government to insist on imposition or increase of rates, etc.

95. All acts and proceedings of the Trustees shall be subject to the control of the [Central Government] and the [Central Government] may cancel, suspend or modify any such acts or proceedings.

1 (ii) * * * *

1 (iii) * * * *

96. The Trustees shall annually, or oftner if directed by the [Central Government] so to do, submit in such form and at such time as the [Central Government] may direct, reports of all works executed and proceedings taken by them under this Act.

97. (1) If at any time it appears to the [Central Government] that sufficient provision is not being made by Trustees to meet their liabilities the [Central Government] may require the Trustees to make such provision in either or both of the following ways, namely :—

- (a) by increasing, subject to the sanction of the [Central Government], to such extent and for such period as may appear necessary, the rates or any of the rates for the time being in force under section 57, or
- (b) by exercising, subject to the like sanction, all or any of the powers conferred by section 58 with reference to all or any goods referred to in that section.

¹ Omitted as per Section 48 of the Chittagong Port (Amendment) Ordinance, 1960.

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The Chittagong Port Act.(*Chapter X.—Control of Government—Sec. 97—98*)

(2) If within one month after receipt of a requisition under clause (a) of sub-section (1), the Trustees do not comply with the same, the [Central Government] may, by notification, increase the said rates or any of them, and the rates imposed by such notification shall have the same force and effect as a scale of rates framed, sanctioned and published under section 57.

(3) If the Trustees do not forthwith comply with a requisition under clause (b) of sub-section (1), the [Central Government] may, by notification, impose or increase any river due on all or any goods referred to in section 58, and the river-due so imposed or increased shall have the same force and effect as a river-due imposed, sanctioned and published under section 58.

98. (1) If at any time it appears to the [Central Government] that any scale framed and published under section 57 should be modified, the [Central Government], may call upon the Trustees to modify such scales accordingly.

Power to Central Government to require modification of scales.

(2) If within two months after receipt of a requisition under sub-section (1) the Trustees do not make the modification required by the [Central Government], the [Central Government] may, by notification, make such modification, and the scale so modified shall have the same force and effect as a scale framed and published under section 57 :

Provided that before issuing such notification the [Central Government] shall receive and consider any objection or suggestion which may be made by the Trustees within two months after receipt of the requisition under sub-section (1).

The Chittagong Port Act.

[BEN. ACT]

(Chapter X—Control of Government—Sec. 99—101).

Power to Central
Government to
order survey

99. The [Central Government] may at any time order a survey and examination of any works of the Trustees under this Act, or of the site thereof, and the cost of such survey or examination shall be borne and paid by the Trustees.

Power to Central
Government to
carry out neglected
works.

100. If the Trustees allow any work acquired or constructed by them under this Act to fall into disrepair, or do not complete any work commenced by them or duly estimated for and sanctioned,

and do not, after notice given by the [Central Government] in writing, proceed effectually to repair or complete such work,

the [Central Government] may cause such work to be restored, completed or constructed, and the cost thereof shall be borne and paid by the Trustees.

Power to Central
Government to
revoke Powers of
Trustees.

101. (1) If at any time the Central Government is satisfied —

- (a) that the purposes intended to be accomplished under this Act have not been, and are not likely to be, accomplished by the Trustees, or
- (b) that it is desirable to withdraw or revoke the powers of the Trustees by this Act conferred, in order to ensure the maintenance, improvement, development, or better administration of the Port, it may, by an order published in the official Gazette, declare such powers to be withdrawn or revoked, for such period.

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(*Chapter X—Control of Government—Sec. 101*)

as may be specified in the order, and thereupon such powers shall be withdrawn and revoked accordingly and all the powers, rights and authorities and all the property vested by this Act in the Trustees shall vest in the Central Government :

Provided that, in the case of (a), no powers shall be withdrawn unless notice of six months has been given to the Trustees and the Trustees fail to take measures to the satisfaction of Government within the period of notice for properly accomplishing the purposes intended to be accomplished.

(2) When the powers are withdrawn and revoked by an order under sub-section (1), all the Trustees shall, on such date as may be specified in the order, vacate their offices as such Trustees but without prejudice to their eligibility for Election under section 8 or their appointment under the following sub-section.

(3) The Central Government may, by notification in the official Gazette, appoint any person, persons or authority to exercise on its behalf any or all of the powers vested in it under sub-section (1).

(4) On or before the expiry of the period specified in the order issued under sub-section (1), the Central Government may, by an order published in the official Gazette —

(a) extend, from time to time, the period so specified ;
or

¹ (b) restore to the Trustees the powers withdrawn and revoked, and thereupon the Trustees shall be reconstituted in accordance with the provisions of Chapter II of this Act."

¹ The words 'body of' are omitted as per Section 49 of the Chittagong Port act (Amendment) Ordinance, 1960.

(*Chapter XI—Penalties and Procedure—Sec. —102—103*).

CHAPTER XI.
PENALTIES AND PROCEDURE.

**Unlawful interest of
Trustees in contracts
or employment.**

**Unlawful interest of
officer or servant in
contracts or
employments.**

¹ 102. Any Trustee who, save as provided in section 12, acquires or agrees to acquire, directly or indirectly, any share or interest in any work done by order or on behalf of the Trustees, or in any contract or employment with, by or on behalf of the Trustees shall, in addition to the disqualification provided for under section 12, be punished with fine which may extend to 2 thousand rupees.

103. Any officer or servant of the Trustees who directly or indirectly—

(a) otherwise than as a debenture-holder, lends money to the Trustees, or

(b) becomes pecuniarily interested in any contract made by or on behalf of the Trustees, or

¹ (c) participates or agrees to participate in any profits of any work done by order of or on behalf of the Trustees,

shall be punished with fine which may extend to two thousand rupees:

Provided that nothing in this section shall apply to any officer or servant of the Trustees by reason only of his being a shareholder in or member of any company (registered under the provisions of any [Law relating to the registration of

¹ The words 'two thousand rupees' are substituted for the words 'five hundred rupees' as per Section 50 of the Chittagong Port (Amendment) Ordinance, 1960.

Joint-stock companies for the time being in force in Pakistan or under the provisions of any Act passed] [any Legislature in India] or by the Parliament of the United Kingdom, or incorporated by Act of Parliament, Royal Charter or otherwise) which may lend money to, contract with, or be employed by or on behalf of the Trustees.

¹ 104. Whoever infringes any by-law made by the Trustees under section 39, or any order issued by them under sections 43, 44 or 45 or any condition prescribed under section 49 or 55, or the direction contained in section 53 or the prohibition contained in section 54 shall be punished with fine which may extend to one thousand rupees; and, if the infringement be continuing, with a further fine, which may extend to one thousand rupees for every day after notice of such infringement has been given by the Trustees.

Infringement of
by-laws, orders,
etc.

105. Prosecutions under this Act may be instituted by the Trustees or by any person authorised by them in this behalf by name or by virtue of his office, and not otherwise.

Prosecutions.

¹ The words 'one thousand rupees' are substituted for the words 'one hundred rupees' as per Section 51 of the Chittagong Port (Amendment) Ordinance, 1960.

(Chapter XII. — Miscellaneous—Sec. 106—109)

CHAPTER XII.

MISCELLANEOUS.

Trustees
etc. to be
public ser-
vants.

106. Every Trustee, and the officers and servants of the Trustees, other than artisans, porters and labourers, shall be deemed to be public servants within the meaning of section 21 of the [Pakistan] Penal Code.

Act
XLV of
1860.

Exemption
of Trustee
from personal
liability.

107. No Trustee shall be personally liable for any contract made or expense incurred by or on behalf of the Trustees, but the funds from time to time in the hands of the Trustees shall be liable for, and chargeable with, all contracts made in manner provided by this Act.

Liability of
Trustees for
breach of
trust

108. Every Trustee shall be liable for any misapplication of money entrusted to the Trustees, to which he has been a party, or which happens through, or is facilitated by, his neglect of duty.

Notice and
limitation of
suits.

109. (1) No suit shall be brought against the Trustees, or against any Trustee, or against any of the Officers or servants of the Trustees or any person acting under their direction, for anything purporting to be done under this Act, until the expiration of one month next after notice in writing has been delivered or left at the office of the Trustees or at the place of abode of such person, stating the cause of suit and the name and place of abode of the intending plaintiff; and unless such notice is proved, the Court shall dismiss the suit.

(2) Every such suit shall be commenced within six months next after the accrual of the right to sue and not afterwards.

(3) If any person to whom any such notice of suit is given tenders sufficient amends before the suit is brought such plaintiff shall not recover.

¹ 110 * * * *

111. Except as provided in section 50 A the Trustees shall not be answerable —

Indemnity to
Trustees for
acts of offi-
cers, etc.

- (i) for any misfeasance, malfeasance, or non-feasance of any officer appointed under this Act or of any conservator or harbour-master, or of any pilot, or of any deputy or assistant of any of the officers above-mentioned, or of any person acting under the authority or direction of any such officer, deputy or assistant ; or
- (ii) for any damage sustained by any vessel in consequence of any defect in any of the moorings, hawsers or other things within the limits of the port which may be used by such vessel :

Provided that nothing in this section shall protect the Trustees from a suit in respect of any negligence or default on their part or of any act done by or under their express order or sanction.

Ben
Act
IV of
1887.

112. All acts done and proceedings taken by the Trustees appointed under the Chittagong Port Trustees Act, 1887, and all orders, rules, regulations and by-laws relating to the port, and to wharves, quays, stages, jetties, piers, landing places, tools, charges rates and dues within the port made and issued before the commencement of this Act, shall, whenever such acts, proceedings, orders, rules, regulations or

Saving of
previous Port
Regulations,
etc.

¹ Section 110 is omitted as per section 52 of the Chittagong Port (Amendment) Ordinance, 1960.

The Chittagong Port Act.

[BEN. ACT]

(Chapter XII—Miscellaneous—Sec.—112—113. The First Schedule).

by-laws would have been lawful if this Act had been in force, be deemed to have been respectively done, taken, made and issued under the provisions of this Act.

Recovery of dues as arrears of land revenue.

113. All fees and sums due on account of property for the time being vested in the Trustees, and all arrears of tools, dues, rates and charges imposed under this Act, may be recovered as if they were arrears of land revenue, in addition to the other modes provided by this Act.

**THE FIRST SCHEDULE,
ENACTMENTS REPEALED.**

(See Section 2)

1	2	3	4
Year,	No.	Short title	Extent of repeal.
1903.	1	The Repealing and Amending Act, 1903	So much of the Second Schedule as relates to Bengal Act IV of 1887.

Act of the Governor General of India in Council.

1903.	1	The Repealing and Amending Act, 1903	So much of the Second Schedule as relates to Bengal Act IV of 1887.
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The Chittagong Port Act.

(*The Second Schedule*)

Acts of the Lieutenant-Governor of Bengal in Council

The Chittagong Port Commissioner of Bengal in Council.			
1887	IV	The Chittagong Port Act, 1887.	The whole
1903	IV	The Chittagong Port (Amendment) Act, 1903.	The whole

*Act of the Lieutenant-Governor of Eastern Bengal and Assam
in Council.*

1912	I	The Chittagong Port (Amendment) Act, 1912.	The whole
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THE SECOND SCHEDULE.

(See Section 50.)

Form of receipt for goods.

Note :— If there be any apparent injury, this is to be stated.

$A, B,$

For the Trustees of the Port of *Chittagong*.

CHITTAGONG :

The day of

¹ The words 'Trustees of the Port of' are substituted for the words 'Port Commissioners', as per section 54 of the Eastern Bengal Rly. Chittagong Port (Amendment) Ordinance 1960.

The Chittagong Port Act. [BEN. ACT
(The Third Schedule.)

¹ THE THIRD SCHEDULE.

PROPERTY VESTED IN THE PORT TRUST

(See Section 70 and 71.)

Ben. Act. IV of
1887.

Part I.- IMMOVABLE PROPERTY TRANSFERRED BY
GOVERNMENT TO THE COMMISSIONERS
CONSTITUTED UNDER THE CHITTAGONG PORT
COMMISSIONERS ACT, 1887.

1. All the land belonging to Government, bounded on the east by the Nimtolly creek; on the south by the Karnaphuli river; on the west by the Monohurkhali creek; and on the north by a line drawn from Nimtolly creek to Monohurkhali creek, east and west immediately to the south of the premises owned by B. R. Texeira, known at the time of the passing of the Chittagong Port Commissioners Act, 1887, ² (hereinafter in this Schedule called the said Act) as the Sailors' Home. Covering Revisional Survey Plots Nos. Part of 369, part of 370, 378, 379, 381, 382, 383, 384, 385, 387, part of 394, 400, 401, 402, 403, part of 414, 415, 416, part of 417, and 418.

2. The land held by Government at the time of the passing of the said Act in the occupation of the Customs Department, bounded on the east by the road known as the Rangamati road; on the south by the land belonging to Government, the boundaries of which are set forth in Article 1 of this Schedule; on the west by the Monohurkhali creek; and on the north by private property, viz., Plot No. 7 of

¹ This schedule was substituted for the existing schedule by section 10 of the Chittagong Port (Amendment) Act, 1936. (XX of 1936).

² Ben. Act 4 of 1887 has been repealed by this Act, see schedule I.

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 (*The Third Schedule.*)

the cadastral survey, but excluding plot No. 12 of the said survey, covering Revisional Survey Plots Nos. 169, 170, 171, 172, 197, 244, 248, 249, 251, 252, 253, 255, 256, 257, 258, part of 369, part of 370, 371, 372, 373, 374, 392, part of 394, 397, 398, 399, 404, 405, 406, 407, 408, 409, part of 414 and part of 417, 254.

3. The land held by Government, bounded on the east by the Monohurkhali creek; on the south by the land at the time of the passing of the said Act occupied by the Government Salt Golah on the west by a public road leading to the Sadar Ghat Jetty; and on the north by private property, viz., plot No. 19 of the cadastral survey. Covering Revisional survey Plots Nos. 186, 187, 188, 189, 192, 193, 194, 195, 354, 355, part of 356, 395 and 396, 266.

4. The Sadar Ghat Jetty and the approaches leading thereto, measuring .094 acre covering Revisional Survey Plots Nos. 3399 and 3400 in Mauza Madarbari, Ward 'D'.

5. The waste land (known as South field) belonging to Government, at the time of the passing of the said Act occupied by the Customs Department, bounded on the east by the Sadar Ghat Road; on the south by the Strand road, on the west by a tank, at the time of the passing of the said Act, in the possession of Messrs. Bulloch Brothers; and on the north by a road running east and west, lying to the south of the Port Commissioners' Office, measuring more or less 1.875 acres covering Revisional Survey Plot No. 3370 in Mouza Madarbari, Ward 'D'.

6. The land at the time of the passing of the said Act occupied by the Port Godowns and yard, (at present workshop site), bounded on the east by the public road leading to the Sadarghat Jetty; on the south by the Karnaphuli

river; on the west by the premises at the time of the passing of the said Act in the occupation of Messrs Bulloch Brothers; and on the north by the Strand Road, measuring more or less 1.108 acres covering Revisional Survey Plots Nos. 3398 and 3401 in Mauza Madarbari, Ward 'D'.

7. All other land the property of Government within the limits of the Port of Chittgong being within one hundred and fifty Yards of high-water mark on both banks of the Karnaphuli river, except the land at the time of the passing of the said Act occupied by the Government Salt Golahs, and all land, other than land with regard to which Government has the right of assessment only, within the limits of the Port included in any survey plot through which a line drawn fifty yards above high-water mark passes.

(a) The foreshore land in mauza Sujakatgar (known as Chaktai in the east of Anti-Mohammad Ghat Jetty), covering Revisional Survey Plots Nos. 1557, 1558, 1559, 1568, 1622, 1623, 1624, 1625, 1626, 1627,

1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1658, 1659, 1661, 1663, 1666, 1667, 1669, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721 and part of 1816 in Mauza Patharghata.

(b) The foreshore land in mauza Sujakatgar (on the west of Anti-Mohammad Ghat Jetty), covering Revisional Survey Plots Nos. 1801, 1803 and 1805.

(c) The foreshore land at Feringhibazar covering Revisional Survey Plots Nos. Part of 246, 280, 500, 501 and 601.

(*The Third Schedule.*)

- (d) The foreshore land at Monohurkhali covering Revisional Survey Plots Nos. 365, 389 and part of 549.
- (e) The foreshore land at Ichanager covering Revisional Survey Plots Nos. 463, 454/14085, 416/14083 and 417/14084.
- (f) The foreshore land at Dangarchar, covering Revisional Survey Plots Nos. 2769, 2796, 2793, 2788, 2787, 2792, 2795, 2794, 2220, 1736, 2790, 2786, 2791, 1734, 2789, 2785, 2783, 2782, 2784, 1731, 2780, 2781, 2779, 2962, 1728, 2778, 1727, 1722, 1721, 1718, 1716, 1715, 1340, 1339, 1338, 1334, 1335, 1330, 1329, 1307, 1308, 1291, 1292, part of 1293, part of 1289, 1290, 1279, part of 1280, 1278, 1277, part of 1276, 1273, 1272, part of 1264, part of 1263, part of 1085, part of 1084, part of 1083, part of 1082, part of 1006, part of 1005, part of 1004, part of 1003, part of 1002, 677, 676, 675, part of 678, part of 679, part of 680, part of 674, part of 673, 672, 671, 666, part of 665, part of 667, 549, part of 545, part of 547, 548, 541, 542, 543, 535, 536, 537, 533, 519, 544, 520, 516, 517, 518, 524, 515, 506, 507, 504, 505, 501, 502, 670/2965, 487, 488, 489, 491, 486, 485, 484, 482, 470, 471, 472, 473, 474, 469, 468, 477, 95/2964, 96, 82, 475, 2, 91, 119, 120, 832, 109, 112, 831, 833, 113, 114, 6, 11, 12, 1 part of 67, part of 71, 72, 73, part of 31, part of 39, and part of 55.
- (g) The Majher Char (Middle Island) measuring more or less 147.70 acres covering Revisional Survey Plot No. 1, Police Station, Anwara, Chittagong.

(*The Third Schedule*)

8. A plot of land measuring more or less 6.064 acres (being the site of the Port Engineer's residence), bounded on the north and east by railyland; on the south by a public road and railway land; and on the west by land belonging to Government and containing the quarters of the District Superintendent of Police, covering Revisional Survey Plots Nos. 471, 472, 473, 474, 475, 476, 477, 478, 384, 113, 112, 383, 376, 377, 385, 378, 426, 456, Police Station Kotwali, Dist. Chittagong.

9. A plot of land measuring 350 feet by 240 feet more or less 1.807 acres (being the site of the Port Commissioners' Office, Port and Shipping Office), bounded on the north by Government land containing the Sadar Ghat Police (Beat) Station ; on the south by a road referred to in Article 5 of this Schedule ; on the east by Sadar Ghat Road; and on the west by private land covering Revisional Survey Plots Nos. 3362, 3363 in mauza Madarbari, Ward 'D'.

10. Strips of land measuring more or less 12.19 acres in Mauza Bandar (being the site for Sanitorium bungalow at Jildia) covering Revisional Survey Plots Nos. 1171 and 1139.

11. A strip of land known as Sadarghat Salt Golah land, (in exchange of present salt golah land at Moheskali) in mauza Monohurkhali covering Revisional Survey Plots Nos. 363, 364, 366, 367, 361, 359, 358, 357, 360 and part of 356.

12. A piece of land in Mauza Uttar Paruapara (being the site of the Norman's Point Lighthouse) measuring more or less 1.04 acres covering Revisional Survey Plots Nos. 235, 236, 237, 238, and 239.

(*The Third Schedule.)*

13. A piece of land in mauza Dakshin Dhurung (being the site of the Kutubdia Lighthouse) covering Revisional Survey Plots Nos. part of 1017, part of 1018, part of 1022, 1019, 1020 and 1021.

**PART II—IMMOVABLE PROPERTY ACQUIRED
OTHERWISE THAN BY DIRECT TRANSFER
FROM GOVERNMENT.**

(a) Acquired for the revetment of the Karnaphuli river.

1. A strip of land (in Revetment Section 1) in the village Maidya Halishahar (formerly Moheshkhali) measuring 800 feet by 130 feet, more or less 2.95 acres bounded on the north by the Strand Road and villages on the south by the Commissioners' land, on the east by land belonging to the Eastern Bengal Railway and on the west by paddy fields, covering Revisional Survey Plots Nos. 15763, 15770, 15771 15772, 14145, 14079, 14080, 14144, 14062/15801, and part of 15673.

2 A strip of land (in Revetment Section 1), in the village Maidya Halishahar (formerly Kumerkhali) measuring 2,900 feet by 500 feet, more or less 14.56 acres situated on the right bank of the Karnaphuli river, bounded on the north by paddy fields, on the south by the Karnaphuli river, on the east by the railway land, and on the west by Kumarkhal, covering Revisional Survey Plots Nos. 15769, 15667, 15666, 15665, 15662, 15663, 15664, 15660, 15659, 15658, 15661, 15687, 15686, 15685, 15684, 15778 and part of 15673.

(*The Third Schedule.)*

3. A strip of land (in Revetment Section II) in the village Dakshin Halishahar between Khals Nos. 3 & 4 measuring 3,400 feet by 1,000 feet, more or less 82.36 acres situated on the right bank of the Karnaphuli river and bounded on the north by Kumarkhal, on the south by Miraparkhal, on the east by Karnaphuli river, and on the west by paddy fields, covering Revisional Survey Plots Nos. 8106, 8108, 8105, 8107, 8104, 8103, 8102, 8440, 8439, 8101, 8091, 8100, 8109, 8110, 8111, 8112, 8113, 8114, 8117, 8118, 8119, 8346, 8344, 8342, 8340, 8392, 8341, 8436, 8345, 8391, 8352, 8351, 8349, 8348, 8347, 8353, and part of 8354.

4. A strip of land in (in Revetment Section II) in the village Dakshin Halishahar between Khals Nos. 4 & 5 measuring 2,200 feet by 800 feet, more or less 35.62 acres situated on the right bank of the river Karnaphuli bounded on the north by Miraparkhal, on the south by Domakhal, on the east by the Karnaphuli river, and on the west by paddy fields covering Revisional Survey Plots Nos. 8435, 8434, 8437, 8339, 8338, 8328/97013, 2432/97014, 2433/97016, 2436/97015, 9693, 9555, 9554, 9691, 9553, 9686, part of 8354 and part of 9556.

5. A strip of land (in Revetment Section III) in the Dakshin Halishahar between Khal Nos. 5 & 6 measuring 2,300 feet by 800 feet more less 35.82 acres situated on the right bank of the river Karnaphuli, bounded on the north by the Domakhal, on the south by Wootarkata Khal, on the east by the Karnaphuli river, and on the west by paddy fields covering Revlsional Survey Plots Nos. 9552, 9687, 9551, 9694, 9695, 9557, 9696, 9697, 9698, 9550, 9558, and part of 9556.

(*The Third Schedule.*)

6. A strip of land (in Revetment Section IV) in the village Dakshin Halishahar between Khals Nos. 6 & 7 measuring 1,400 feet by 800 feet, more or less 25.99 acres situated on the right bank of the river Karnaphuli, bounded on the north by Wootarkata Khal, on the south by Dakshinkata Khal, on the east by the Karnaphuli river, and on the west by paddy fields covering Revisional Survey Plots Nos. 9549, 9559, 9548, 9699, 9700, 9701, 9702, 9560, 9703, 9547, 9704, 9546, 9688, 9545, 9544/97012, 9449, and part of 9556.

7. A Strip of land (in Revetment Section IV) in the village Uttar Patenga (formerly Patiya) between Khals Nos. 7 and 8 measuring 3,800 feet by 900 feet more or less 73.43 acres situated on the right bank of the river Karnaphuli bounded on the north by the Karnaphuli river, on the south by paddy fields, on the east by Kawinikhal, and on the west by Dakshinkata Khal covering Revisional Survey Plots Nos. 4638, 4806, 4635, 4634, 4029, 4030, 4636, 4637, 4639, 4633, 4619, 4632, 4631, 4675, 4630, 4629, 4628, 4627, 4626, 4625, 4624, 4623, 4622, 4621, 4620 4906, 4640, 4641 and 4642.

8. A strip of land (in Revetment Section V) in the village Uttar Patenga between Khals Nos. 8 and 9 measuring more or less 23.70 acres covering Revisional Survey Plots Nos. 4643, 4928, 4924, 4790, 4827, 4868, and 4720.

9. A strip of land (in Revetment Section V) in Mauza Purba Patenga between Khals Nos. 9 & 11 measuring more or less 96.65 acres covering Revisional Survey Plots Nos. 90, 91, 527, 97, 98, 99, 101, 268, 269, 270, 495, 497, 524, 525 and 530.

10. A strip of land (in Revetment Section VI) in mauzas Purba and Dakshin Patenga between Khal 11 and Patenga Point measuring more or less 171.30 acres, covering Revisional Survey Plots Nos. part of 8859, part of 8858, part of 8860, part of 8861, part of 8893, part of 8862, part of 8865, 8863, 8864, part of 9620, part of 9619, part of 9618, 9621, 9622, 9623, 9624, 9774, 9625, 9627, 9775, 9626, 9628, part of 9612, part of 9631, 9630, 9629, 9776, 9636, 9635, 9777, 9634, part of 9633, part of 9638, 9778, 9637, 9779, part of 9647, part of 9646, 9648, 9780, 9781, 9649, part of 9650, part of 9651, part of 9655, part of 9793, 9656, 9782, 9783, 9672, part of 9670, part of 9669, part of 9668, 9671, 9675 9674, 9673, 9776, 9678, part of 9795, part of 9684, 9683, 9682, 9681, 9680, 9679, 9686, part of 9685, part of 9693, part of 9695, part of 9696, 9771, 9692, 9691, 9690, 9689, 9687, 9688, 9701, 9704, 9700, 9699, 9689, 9697, 9705, 9706, 9707, 9772, part of 9712, 9711, 9710, 9715, 9714, 9713, part of 9722, 9719, 9718, 9720, 9723, 9724, 9726, 9725, 9764, 9763, 9727, 9728, 9760, part of 9768, 9759, 9729, 9758, 9757, 9730, 9731, 9732, 9733, part of 9514, part of 9513, part of 9511, part of 9512, part of 9509, 9510, part of 9502, part of 9734, part of 9736, 9756, 9754, 9753, 9752, 9751, 9749, 9750, 9735, 9737, 9738, 9739, 9740, 9746, 9748, 9747, 9745, 9744, 9741, 9742, part of 9743, part of 3443, part of 3444, part of 3445, part of 3449, 3450, 3470, 3471, 3468, 3469, 3472, 3451, 3453, 3454, 3455, 3466, 3467, part of 3452, 3456, part of 3458, part of 3465, part of 3462, part of 3463, part of 3552, part of 1199, part of 1200, part of 1201, part of 1203, 1202, part of 1205, 1204, part of 1207, 1206, part of 1186, part 1180, part of 1209, part of 1197, part of 1198, part of 1208, part of 1250, part of 1249, part of 1248, part of 1247, 9766, part of 1244, part of 1256, part of 1240, part of 1251, 1252, 1258, 1257, 1259, 1260, 1261, part of 1253, part of 1152,

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part of 1263, 1261, 1262, part of 1238, 1239, 1236, 1235, 1234, 1230, part of 1243, 1231, part of 1233, part of 1264, part of 1232, part of 1266, 1225, part of 1151, part of 1224, part of 1241, part of 1223, part of 1227, part of 1228, 1229, 1226, part of 1213, part of 1242, and part of 1156, in mauza Dakshin Patenga and the Revisional Survey Plots Nos. 503, 498, 499, 500, part of 501, 504, part of 1264, part of 1265, part of 1269, part of 1270, 1350, part of 1271, part of 1272, part of 1279, part of 1280, part of 1297, part of 1347, 1281, 1298, 1299, part of 1905, part of 1906, part of 1723, 1908, 1907, part of 1724, part of 1725, part of 1732, part of 1733, part of 1734, part of 1735, part of 1804, 1805, 1806, part of 1799, part of 1808, 1807, part of 1809, 1810, part of 1812, 1811, part of 1816, 1817, part of 1819, 1818, part of 1920, 1821, part of 1824, 1823, 1822, part of 1825, part of 1829, 1839, part of 1838, part of 1842, 1841, part of 1844, 1845, part of 1849, 1848, part of 1859, part of 1858, 1860, part of 1857, 1866, 1867, 1868, 1865, 1864, part of 1856, part of 1855, part of 1869, 1871, 1870, part of 1875, 1874, 1873, 1877, 1878, part of 1876, part of 1883, part of 1884, 1882, 1881, 1880, 1879, part of 1887, 1888, part of 1891, 1890, part of 1892, 1900, part of 1893, 1899, part of 1894, 1898, part of 1895, 1896, part of 1902, part of 1761 and part of 1651, 1601, 1909, 1903, in mauza Purba Patenga.

11. A strip of additional land (in Revetment Section VI) in mauza Dakshin Patenga from midway between Khals 15 and 16 to the Patenga point measuring more or less 16.30 acres covering Revisional Survey Plots Nos. part of 9631, part of 9632, part of 9633, part of 9610, part of 9638, part of 9647, part of 9646, part of 9645, part of 9650, part of 9651, part of 9655, part of 9793, part of 9673, part of 9669, part of 9667, part of 9668, part of 9795,

(The Third Schedule)

part of 9684, part of 9796, part of 9693, part of 9696, part of 9694, part of 9685, part of 9695, part of 9712, part of 9722, part of 9521, part of 9517, part of 9514, part of 9515, part of 9513, part of 9511, part of 9512, part of 9508, part of 9507, part of 9506, part of 9609, part of 9502, part of 9734, part of 9736, part of 9501, part of 3441, part of 3442, part of 3444, part of 3445, part of 3449, part of 3452, part of 3456, part of 3457, part of 3458, part of 3564, part of 3455, part of 3463, part of 3461, part of 3552, part of 3462, part of 1199, part of 1198, part of 1197, part of 1196, part of 1195, part of 1186, part of 1180, part of 1209, part of 1208, part of 1250, part of 1249, part of 1248, part of 1247, part of 1244, part of 1246, part of 1240, part of 1243, part of 1242, part of 1213, part of 1241, part of 1222, part of 1214, part of 1228, part of 1227, part of 1223, part of 1154, part of 1153, part of 1152, part of 1224, part of 1151, part of 1266, and part of 1156, 9677, 9755, 9768.

12. A strip of additional land (in Revetment Section VI) in mauza Dakshin Patenga (at Patenga point) measuring more or less 3.99 acres, covering Revisional Survey Plots Nos. part of 1223, part of 1153, part of 1154, part of 1150, part of 1149, part of 1151, part of 1146, part of 1145, part of 1266, part of 1267, and part of 1068.

13. A strip of land (By-Channel land) measuring more or less 26.65 acres in the village of Char Lakhya, Police Station, Patiya, Zilla Chittagong, covering Revisional Survey Plots Nos. 190, 191, 194, 195, 201, 202, 204, 205, 206, 207, 208, 229, 203, 230, 231, 232, 233, 234, 235, and 239 in mauza Dangar Char and Revisional Survey Plots Nos. 7934, 5603, 5515, 5602, 5606, 7904, 5605, 5559, 6856, 6857, 6858, 6854, 6849, 6848, 6846, 6869, 6868, 6870, 6871, 6904, 6832, and 6828, in mauza Char Lakhya.

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(b) *Acquired for the Kutubdia Lighthouse.*

14. Pieces of land in village Dakshin Dhurung (known as Kutubdia) measured at the Cadastral Survey in Plot Nos. 5370, 5371, 5374, 5375, 5376, and 5377, covering Revisional Survey Plots Nos. part of 1017, part of 1018 and part of 1022.

(c) *Acquired for Boat Registration.*

15. A piece of land in mauza Shahamirpur, P. S. Patiya, District Chittagong, (formerly Shamshernagar), measuring more or less 0.10 acre, covering Revisional Survey Plot No. 12345.

16. A piece of land in mauza Sujakatgar, P. S. Kotwali, Chittagong, measuring more or less 0.18 acre, covering Revisional Survey Plots Nos. 1677, and 1678 in mauza Sujakatgar and Revisional Survey Plot No. 1774 in mauza Patharghata.

(d) *Acquired for Patenga Beacon.*

17. A piece of land measuring more or less 0.15 acre in mauza Dakshin Patenga covering Revisional Survey Plot No. 3555.

(e) *Acquired for the site of front Inner Bar Leading Light.*

18. A piece of land in mauza Badalpura measuring more or less 0.005 acre covering part of Revisional Survey Plot No. 165.

(f) *Acquired for approach road to Sanitorium Bungalow at Juldia.*

19. A piece of land measuring more or less 0.468 acre covering Revisional Survey Plots Nos. part of 158A,

(*The Third Schedule.*)

part of 1139, 846A, part of 1140, part of 38A, part of 111A, part of 1141, 38, part of 35A, 41A, 49A, 52A, part of 50, part of 608A, in mauza Bandar and Revisional Survey Plot Nos part of 87, part of 88, part of 89, part of 91, and part of 246 in mauza Rangadia, Police Station Anwara, Chittagong.

(g) *Acquired for new site of Port Commissioners' Workshop and Store at Gosaidanga.*

20. (i) A piece of land (known as Turner Morrison's land) in mauza Gosaidanga measuring more or less 3.05 acres, covering Revisional Survey Plots Nos. 4957, 4956, 4955, 4947, 4973, 5011, 4958, 4972, 4960, 4970, 4971, 4961, 4962, 4963, 4949, 4950, 4953, 4951, 4959, 4952, 4954, 4948, 4964, 4965, 4945, 4946, 4944, 4941, 4942, 4940, 4997, part of 4939, part of 4969, part of 4968, and part of 4943.

(ii) A piece of additional land (known as Turner Morrison's land) in mauza Gosaidanga, measuring more or less 1.60 acres covering Revisional Survey Plots Nos. 5012, 4966, 4987, 4988, 4989, 4990, 4991, 4992, 4993, 4994, 4996, 4995, 4998, part of 5013, part of 4974, part of 4969, part of 4968, part of 4967, part of 4986, part of 4999, part of 5000 and part of 9443.

(iii) A piece of land (known as Turner Morrison's land) in mauza Gosaidanga, P. S. Doublemoorings, District Chittagong, covering Revisional Survey Plots Nos. 4975, 4976, 4977, 4978, 4979, 4980, 4981, 4982, 4983, 4984, 4985, 5001, 5003, 5006, 5237, 5238, 5297, and part of 4967, part of 4968, part of 4974, part of 4986, part of 4999, part of 5000, part of 5002, part of 5004, and part of 5013, 5005, 5285, area more or less 2.868 acres.

V OF 1914] *The Chittagong Port Act.*(*The Third Schedule*)(h) *Acquired for Coal Yard and Siding at Madarbari.*

21. A piece of land (known as Arracan Yard land) in mauza Madarbari measuring more or less 1.95 acres covering Revisional Survey Plots Nos. 1272, 1271, 1277, 1278, 1273, 1274, 1270, 1279 and 1280, 1275, 1276.

(i) *Acquired for site of slip-way at Monoharkhali.*

22. A strip of land in mouza Monoharkhali measuring more or less 3.84 acres covering Revisional Survey Plots Nos. 202, 200, 265, 201, 204, 205, 206, 410, 375, 413, 376, 377, 196, and 250.

(j) *Acquired for the improvement of Port Staff quarters at Monoharkhali and Feringhibazar.*

23. A strip of land measuring more or less 11.37 acres covering Revisional Survey Plots Nos. 556, 543, 555, 544, 545, and part of 549, 269, 167, 199, 411, 412, 380, 386, 268, 168, and 198 in mauza Monoharkhali, Revisional Survey Plot No. 728, in mauza Guribazar and Revisional Survey Plots Nos. 242, 243, 244, 245, part of 246, in mauza Feringhibazar.

24. (i) A strip of land 50 feet wide in mouza Dangarchar J. L. No. 171, P. S Patiya, District-Chittagong, measuring more or less 6.00 acres, covering Revisional Survey Plots Nos. part of 2213, part of 2214, part of 2218, part of 2217, part of 2225, part of 2238, part of 2239, part of 2240, part of 2241, part of 2242, part of 2243, part of 2244, part of 2245, part of 2252, part of 2253, part of 2260, part of 2362, part of 2361, part of 2363, part of 2366, part of 2367, part of 2370, part of 2371, part of 2384, part of 2385, part of 2387, part of 2774, part of 2389, part of 2392, part of 2393, part of 2396, part of 2397, part of 2400, part of 2401, part of 2404, part of 2405,

part of 2409, part of 2410, part of 2413, part of 2417, part of 2741, part of 2740, part of 2727, part of 2728, part of 2739, part of 2737, part of 2738, part of 2736, part of 2743, part of 2903/2965, part of 2261, part of 2275, part of 2276, part of 2277, part of 2298, part of 2303, part of 2304, part of 2305, part of 2306, part of 2307, part of 2308, part of 2309, part of 2310, part of 2311, part of 2312, part of 2347, part of 2348, part of 2351, part of 2355, part of 2356, part of 2358, part of 2360, and part of 2358/2760.

(ii) A strip of land 50 feet wide in mouza Julda J. L. 14..... P. S. Patiya, Dist.-Chittagong, measuring more or less 7.13 acres covering Revisional Survey Plots Nos. part of 995/8544, part of 28/1000, part of 29/8501, part of 32/8502, part of 33/8503 part of 36/8504, part of 37/8505, part of 407/8507, part of 406, part of 439, part of 440 part of 452, part of 453, part of 442, part of 407, part of 449, part of 448, part of 386, part of 456, part of 455, part of 822, part of 822/8541, part of 822/8529, part of 823 and part of 820/8508.

(iii) A strip of land 50 feet wide in mouza Shahamirpur J. L. No. 15 P. S. Patiya, District Chittagong, measuring more or less 8.00 acres, covering Revisional Survey Plots Nos. part of 12908, part of 11322, part of 12027, part of 12034, part of 12033, part of 12036, part of 12078, Part of 12210/12926, part of 12210, part of 12196, part of 12197, part of 12198, part of 12209, part of 12211, part of 12342, part of 12344, part of 12358, part of 12947, part of 12941, part of 1275/12927, part of 12766, part of 12765, part of 12768, part of 12769, part of 12770, part of 12771, part of 12773, part of 12774, part of 12767, part of 12888, part of 12928, and part of 12940.

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(iv) A strip of land 50 feet wide in mouza Badalpura J. L. No. 1 P. S. Anwara, Chittagong, measuring more or less 5.305 acres, covering Revisional Plots Nos. 1, Ka 6, Ka 173, 28, 29, 56, Ka 2/33, Ka 34, Ka 206, Ka 205, Ka 21, Ka 2/36, Ka 2/37, Ka 2/38, Ka 2/39, Ka 40, Ka 208, 94, Ka 169, Ka 207, 194, 197, 198, 228, Ka 166, Ka 168, Ka 162, 283, 268, 284, Ka 283/171, 311, Ka 312, Ka 312/172, 2/544.

(v) A strip of land, 50 feet wide, in mouza Bandar J. L. No. 4, P. S. Anwara, Chittagong, measuring more or less 0.77 acre, covering Revisional Survey Plots Nos. part of Ka 1/4, Ka 821, 1/1178.

(vi) A strip of land 50 feet wide in mouza Rangadia J. L. No. 5 P. S. Anwara, Chittagong, measuring more or less 7.45 acres covering Revisional Survey Plots Nos. 1/249, 1/250, 251, 10, 56 and 53.

(vii) A strip of land 50 feet wide in mouza Gobadia J. L. No. 7 P. S. Anwara, Chittagong measuring more or less 4.39 acres covering Revisional Survey Plots Nos. part of 1/594, p5, p1/375, and part of 592.

(viii) A strip of land 50 feet wide in mouza Paschim Tulatali J. L. No. 14, P. S. Anwara, Chittagong, measuring more or less 5.00 acres covering R. S. Plots Nos. part of 1, part of 4, part of 32, part of 31, part of 16, part of 7, part of 6, part of 3, part of 2, and part of 33.

(ix) A strip of land 50 feet wide in mouza Fultali J. L. No. 15 P. S. Anwara, Chittagong, measuring more or less 6.105 acres covering Revisional Survey Plots Nos. part of 6, part of Ka 154, part of 1, part of Ka 7/231, part of Ka 7/232, part of Ka 233, part of 8 and part of 3.

(*The Third Schedule.*)

(x) A strip of land 50 feet wide in mouza Uttar Paruapara, J. L. No. 16 P. S. Anwara, Chittagong, measuring more or less 5.83 acres covering Revisional Survey Plots Nos. part of N2, part of N16, part of N100, part of N1, part of 1, part of N322, part of N2/345, part of N2/330, part of N331, part of N339, part of N340, part of N2/352, part of N353, part of N3/362, part of N2/363, part of N2/372, part of N2/373, part of N2/382, part of N2/383, part of N2/393, part of N381, part of 384, part of N2/391, part of N2/394, part of N401, part of N404, part of N413, part of N415, part of N2/416, part of N2/423, part of N2/424, part of N2/431, and part of 432.

25. A piece of land in mouza Dakshin Patenga, P. S. Doublemoorings, Chittagong measuring more or less 16.10 acres, covering Revisional Survey Plots Nos. 1144, 1147, 1148, 1155, part of 1068, part of 1142, part of 1143, part of 1145, part of 1146, part of 1149, part of 1150, part of 1153, part of 1154, part of 1223, part of 1266, and part of 1267.

26. A piece of land in mouza Chandgoan, jurisdiction list No. 8, Sheet No. 8, P. S. Panchalaish, District Chittagong covering Revisional Survey Plot Nos. 17850, 17855, 17856, 17857, 17862, 17863, 17864, 17866, 17867, 17869, 17877, 17878, 17880, 17881, 17882, 17883, 17884, 17885, 17886, 17887, 17888, 17889, 17890, 17891, 17892, 17893, 17894, 17895, 17896, 17897, 17898, 17899, 17900, 17901, 17902, 17903, 17904, 17905, 17906, 17907, 17910, 17994, 18029, 18030, 18031, 18032, 18033, 18036, 18037, 18038, 18039, 18040, 18057, 18035, and 17865, part of 17851, part of 17852, part of 17853, part of 17854, part of 17858, part of 17861, part of 17868, part of 17870, part of 17875, part of 17876, part of 17879, part of 18034, part of 18058, part of 18059, part of 18060, part of 18061, and part of 18041.

(*The Third Schedule.)*PART III.—IMMOVABLE PROPERTY HELD ON
RENT.

1. A plot of land fo Bench Mark Pillar in mouza
Bandar, measuring more or less .19 acre covering Revisional
Survey Plot No. 1145.

PART IV—IMMOVABLE PROPERTY TRANSFERRED FROM PORT RAILWAY,
 CHITTAGONG TO THE PORT TRUST, CHITTAGONG.

1. The land held in Mouza Nalsa, J. L. No. 18, P. S. Doublemoorings, Chittagong covering R. S. Plot Nos. part of 50, part of 52, 53, part of 54, part of 56, part of 57, part of 58, 59, part of 60, part of 61, part of 62, part of 69, 70, 71, 72, 94, 95, part of 96, part of 99, part of 107, 108, part of 109, part of 111, part of 112, part of 113, part of 114, part of 115, part of 117, part of 118, part of 120, 121, part of 137, part of 138, part of 214, part of 215, part of 229, part of 230, 420, 421, 422, 423, 424, 425, part of 417, part of 418, 426, 427, area measuring more or less 3.225 acres.

2. The land held in Mouza Gosaidanga, J. L. No. 17, P. S. Doublemoorings, Chittagong covering R. S. Plot Nos. part of 48, 49, 50, 51, 52, 53, 54, 59, part of 60, part of 94, part of 95, 96, 107, part of 108, part of 109, part of 110, 111, 112, 113, part of 114, part of 133, 139, 140, 141, part of 142, part of 143, part of 150, part of 148, $\frac{150}{681}$, $\frac{150}{682}$, $\frac{150}{683}$, part of $\frac{150}{684}$, part of $\frac{150}{685}$, part of $\frac{150}{687}$, $\frac{150}{680}$, part of 3106, 3107, 3108, part of 3109, part of 3110, part of 3114, part of 3115, part of 3118, 3119, part of 3120, part of 3127, part of 3134, 3135, 3678, 3679, 3680, 2031, part of 2032, 3686, 3687, 3688, 3689, 3690, 3691, 3692, 3693, 3694, 3695, 3696, 3697, 3698, 3699, 3700, 3701, 3702, 3703, 3704, 3705, 3706, 3707, 3708, 3709, 3710, 3711, 3712, 3713, part of 3751, 3753, 3754, 3755, 3756, 3757, 3758, 3759, 3760, 3761, 3762, 3763, 3764, 3765, 3766, 3767, 3769, 3770, 3771, 3772, 3773, 3774, 3775, 3776, 3777, 3778, 3779, 3780, 3781, 3782, 3783, 3784, 3785, 3786, 3787, 3788, 3789, 3790, 3791, 3792, 3793, 3794, 3795, 3796, 3797, 3798, 3799,

3800, 3801, 3802, 3803, 3804, 3805, 3806, 3807, 3808, 3809,
 3810, 3811, 3812, 3813, 3814, 3815, 3816, 3817, 3818, 3819,
 3820, 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3828, 3829,
 3830, 3831, 3832, 3833, 3834, 3835, 3836, 3837, 3838, 3839,
 3840, 3841, 3842, 3843, 3844, 3845, 3846, 3847, 3848, 3849,
 3850, 3851, 3852, 3853, 3854, part of 4159, part of 4163,
 4282, part of 4283, part of 4285, 4286, part of 4295, 4296,
 4327, 4328, 4400, 4401, 4402, 4403, 4404, 4405, 4406, 4407,
 4408, 4409, 4413, 4414, 4415, 4416, 4440, 4441, part of 4442,
 4464, 4465, 4466, 4477, 4478, part of 4479, 4480, 4481,
 4482, 4483, 4484, 4485, 4486, 4487, 4488, 4489, 4490, 4491,
 4492, 4493, 4494, 4495, 4496, 4497, 4498, 4499, 4500, 4501,
 4502, 4503, 4504, 4505, 4506, 4507, 4508, 4509, 4510, 4511,
 4512, 4513, 4514, 4515, 4516, 4517, 4518, 4519, 4520, 4521,
 4522, 4523, 4524, 4909, part of 4910, part of 4912, part of
 4913, 4914, 4915, 4916, part of 4917, part of 4918, part of
 4919, part of 4920, ⁴⁹²⁰~~5010~~, part of 4921, part of 4922, 4923,
 4924, 4925, 4926, 4927, 4928, 4929, 4930, 4931, 4932, 4933,
 part of 4934, part of 4935, part of 4937, part of 4939, 2070,
 2071, part of 2072, part of 2073, 1753, 5120, 1752 & 5121,
 area measuring more or less 127.731 acres. (55)

3. The land held in Mouza South Halishahar, J. L. No. 19, P. S. Doublemoorings, Chittagong, covering R. S. Plot Nos. 8115, 8116, part of 8026, part of 8031, part of 8032, part of 8033, part of 8041, part of 8043, part of 8045, 8047, 8048, 8049, 8050, 8051, 8052, 8053, 8054, 8055, 8056, 8057, 8058, 8059, 8060, 8061, part of 8062, ⁸⁰⁶²~~8438~~, 8063, 8064, 8065, 8066, 8067, 8068, 8069, 8070, 8071, 8072, 8073, 8074, 8375, 8076, 8077, 8078, 8079, 8080, 8081, 8082, 8083, 8084, 8085, 8086, 8087, 8089, 8090, 8091, 8092, 8093, 8094, 8095, 8096, 8097, 8098, part of 8122, part of 8123, part of 8124, 8125, 8126, 8127, 8128, part of 8130, 8131, 8132, part of 8133, 8134, part of 8135, part of 8136,

(*The Third Schedule.*)

part of 8137, part of 8138, part of 8168, part of 8169, 8170, part of 8171, part of 8174, 8074, area measuring more or less 18.165 acres.

4. The land held in Mouza Madhya Halishahar, J. L. No. 10, P. S. Doublemoorings, Chittagong, covering R. S. Plot Nos. 14063, 14081, 14082, 14083, 14084, 14085, 14086, 14087, 14088, 13903, 14082, 14080, 15674, 15675, 15676, 15677, 15676, 15685, 15774, 15775, 15678, 15679, 15680, 15681, 15682, 15683, 15677, 15685, 15684, 15683, 15678, 15779, 15760, part of 10014, part of 10057, 10058, 10059, 10060, part of 10061, part of 10062, part of 10064, part of 10074, part of 10075, part of 10079, part of 10080, part of 10081, 10082, 10083, 10084, part of 10085, 10086, part of 10087, part of 10088, part of 10333, part of 10345, part of 10347, part of 10348, 10349, 10350, part of 10351, part of 10353, 10354, part of 10355, 10356, 10357, 10358, 10359, 10360, 10361, 10362, 10363, 10364, 10365, 10366, 10367, 10368, 10369, 10370, 10371, 10372, 10373, 10374, 10375, 10376, 10377, 10378, 10379, 10380, 10381, 10382, 10383, 10384, 10385, 10386, 10976, 10386, 10387, 10388, 10389, 10390, 10391, 10392, 10393, 10394, 10395, 10396, 10397, 10398, 10399, 10400, 10401, 10402, 10403, 10404, 10405, 10406, 10407, 10408, 10409, 10410, 10411, 10412, 10413, 10414, 10415, 10416, part of 10417, part of 10420, 10421, 10422, 10423, 10424, 10425, 10426, part of 10427, part of 10428, 10429, 10430, 10431, part of 10432, part of 10433, part of 10437, 10438, 10439, 10440, 10441, 10442, 10443, 10444, 10445, 10446, 10447, 10448, 10449, 10450, 10451, part of 10452 part of 10453, part of 10454, part of 10455, part of 10456, part of 10457, part of 10458, part of 10463, part of 10477, part of 10478, part of 10473, part of 10482, 10483, 10484, part of 10485, part of 10487, part of 12012, part of 12013, part of 12015, 12016, 12017, part of 12018, part of 12022, part of 12023,

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part of 12024, part of 12025, 12026, 12027, 12028, 12029,
 part of 12030, 12031, 12032, 12033, 12034, 12035, 12036,
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12280, 12281, part of 12282, part of 12297, part of 12298, part of 12299, part of 12300, part of 12306, 12307, 12308, 12309, 12310, 12311, 12312, 12313, 12314, 12315, 12316, 12317, 12318, 12319, 12320, 12321, 12322, 12323, 12324, 12325, 12326, 12327, 12328, 12329, 12329, 14105, 12330, 12331, 12332, 12333, 12334, 12335, 12336, 12337, 12338, 12339, 12340, 12341, 12342, 12343, 12344, 12345, 12346, 12347, part of 12348, 12349, 12350, 12351, 12352, 12353, 12354, 12355, 12356, 12357, 12358, 12359, 12359, 12360, 12361, 12360, 12361, 12362, 12363, 12364, 12365, part of 12366, part of 12367, part of 12378, part of 12379, 12380, 12381, 12382, part of 12383, part of 12384, part of 12397, part of 12398, 12399, 12400, 12401, 12402, 12403, 12404, 12405, 12406, 12407, 12408, 12409, 12410, 12411, 12412, 12413, 12414, 12415, 12416, 12417, 12418, 12419, 12420, 12421, 12422, 12423, 12424, 12425, 12426, 12427, 12428, 12429, 12430, 12431, 12432, 12433, 12434, 12435, 12436, 12437, 12438, 12439, 12440, 12441, 12442, 12443, 12444, 12445, 12446, 12445, 12445, 12445, 12447, 12448, 12449, 12450, 12451, 12452, 12453, 12454, 12455, 12456, 12457, 12458, 12459, 12460, 12461, 12462, 12463, 12464, 12465, 12466, 12467, 12468, 12469, 12470, 12471, 12472, 12473, 12474, 12475, 12476, 12477, 12478, 12479, 12480, 12482, 12483, 12484, 12485, 12486, 12487, 12488, 12489, 12490, 12491, 12492, 12493, 12494, 12495, 12496, 12497, 12498, 12499, 12500, 12501, 12502, 12503, 12504, 12505, 12506, 12507, 12508, 12509, 12510, 12511, 12512, 12513, 12514, 12515, 14095, 12515, 12516, 12517, 12518, 12519, 12520, 12521, 12522, 12523, 12524, 12525, 12526, 12527, 12528, 12529, 12530, 12531, 12532, 12533, 12535, 12536, 12534, 12539, 12540, 12542, 12543, 12544, 12545, 12546, 12547, 12548, 12549, 12550, 12551, 12552, 12553, 12554, 12555, 12556, 12557, 12558, 12559, 12561, 12563, 12564, 12565, 12566, 12567, 12568, 12569, 12570, 12571, 12576, 12577, 12578, 12579, 12580, 12581, 12582, 12583, 12584,

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 12865, part of 12882, part 12883, part of 12884, part of
 12913, part of 12921, part of 12952, part of 12975,

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part of 12976, part of 12977, part of 12978, 12979, 12980, 12981, 12982, 12983, 12984, 12985, 12986, part of 12987, part of 12988, part of 12992, part of 12993, 12994, 12995, 12996, 12997, 12998, 12999, 13000, 13001, 13002, 13003, 13004, 13005, 13006, 13007, part of 13008, 13009, 13010, part of 13011, 13012, 13013, 13014, 13015, 13016, 13017, 13018, 13019, 13020, 13021, 13022, 13024, 13025, 13026, 13027, 13028, 13029, 13030, 13031, 13032, 13033, 13034, 13035, 13036, 13037, 13038, 13039, 13040, 13041, 13042, 13043, 13044, 13045, 13046, 13047, 13048, 13049, 13050, 13051, 13052, 13053, 13054, 13055, 13056, 13057, 13058, 13059, 13060, 13061, 13062, 13063, 13064, part of 13065, 13066, 13067, 13068, 13069, 13070, 13071, 13072, 13073, 13076, 13078, 13079, 13080, 13081, 13082, 13083, 13084, 13085, 13086, 13087, 13088, 13089, 13090, 13091, 13092, 13093, 13094, 13095, 13096, 13097, 13098, 13101, 13102, 13103, 13104, 13105, 13106, 13107, 13108, 13109, 13110, 13111, 13112, 13113, 13114, 13115, 13116, 13117, 13118, 13119, 13120, 13121, 13122, 13123, 13124, 13125, 13127, 13128, 13129, 13130, 13131, 13132, 13133, 13134, 13135, 13136, 13137, 13138, 13139, 13140, 13141, 13142, 13143, 13144, 13146, 13147, 13148, 13150, 13151, 13152, 13153, 13154, 13155, 13156, 13157, 13158, part of 13159, 13160, 13161, 13162, 13167, part of 13163, part of 13165, part of 13166, 13168, 13169, 13170, 13171, 13172, 13173, 13174, 13175, 13176, 13177, 13178, 13179, 13180, 13181, 13182, 13183, 13184, 13185, 13186, 13187, 13188, 13189, 13190, 13191, 13192, 13193, 13194, 13195, 13196, 13197, 13198, 13199, 13200, 13201, 13202, 13203, 13204, 13205, 13206, 13207, 13208, part of 13209, part of 13211, part of 13212, 13213, part of 13214, part of 13215, part of 13218, part of 13254, 13255, part of 13256, 13257, part of 13258, part of 13259,

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part of 13267, part of 13268, part of 13270, part of 13271,
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13510, 13511, 13512, 13513, 13514, 13515, 13516, 13517,
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14028, 14029, 14030, 14031, 14032, 14033, 14034, 14035,
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15200, 15201, 15202, 15203, 15204, 15205, 15206, 15207,
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 15215, 15216, 15217, 15221, 15222, ¹⁵²²²₁₅₇₃₁, ¹⁵²²²₁₅₇₃₂, 15223, 15224,
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15448, 15447, 15446, part of 15445, part of 15444,
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 15538, 15537, 15536, ¹⁵⁵³⁵₁₅₇₆₅, 15535, ¹⁵⁵³⁴₁₅₇₆₄, 15534, 15533,
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 15502, 15501, 15500, 15499, 15498, 15497, 15496,
¹⁵⁴⁹⁵₁₅₇₅₆, ¹⁵⁴⁹⁵₁₅₇₅₇, ¹⁵⁴⁹⁵₁₅₇₅₅, 15495, ¹⁵⁴⁹⁴₁₅₇₄₃, ¹⁵⁴⁹⁴₁₅₇₄₀, ¹⁵⁴⁹⁴₁₅₇₃₉, ¹⁵⁴⁹⁴₁₅₇₃₆, ¹⁵⁴⁹⁴₁₅₇₃₅,
 15494, ¹⁵⁴⁹³₁₅₇₅₂, ¹⁵⁴⁹³₁₅₇₅₁, ¹⁵⁴⁹³₁₅₇₅₀, ¹⁵⁴⁹³₁₅₇₄₇, ¹⁵⁴⁹³₁₅₇₄₆, ¹⁵⁴⁹³₁₅₇₄₄,
 15493, 15492, ¹⁵⁴⁹¹₁₅₇₃₇, 15491, ¹⁵⁴⁹⁰₁₅₇₃₄, ¹⁵⁴⁹⁰₁₅₇₃₃, 15490, 15489,

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 15762, 15753, 15749, 15748, 15747, 15741, 15738, 15672,
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 15610, 15609, 15608, 15607, 15606, 15605, 15604, 15603,
 15602, 15601, 15600, 15599, 15598, 15597, 15596, 15595,
 15594, 15593, 15592, 15591, 15590, 15589, 15588, 15587,
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 15578, 15577, 15576, 15575, 15574, 15573, 15572, 15571,
 15570, 15569, 15568, 15567, 15566, 15565, 15564, 15563,
 15562, area measuring more or less 470.52 acres.

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Erratum

Please omit 'and' in the last line of Sub-Section (12A) of Section 4 on page 3.

Please read 'whether' instead of 'wheather' in line 6 of Sub-Section (2) of Section 5 on page 4.

Please read 'with' instead of 'wih' in the last line of Sub-Section (2) of Section 10 on page 6.

Please read 'Trustees' instead of 'Trustee' in line 7 of Sub-Section (1) of Section 12 on page 7.

Please omit 'Chittagong' in the 2nd line of Sub-Section 2 of Section 13 on page 8.

Please omit 'of' occurring between 'scale' & 'maximum' in the 3rd line of page 21 (Section 36 (1).)

Please read 'by' instead of 'be' in the proviso to Sub-Section (1) of Section 36 in the 1st line of the 2nd para of page 21.

Please read 'proceding' instead of 'proceeding' in the 2nd line Section 36 (A) on page 21.

9. Please read 'whether' instead of 'wheather' in clause (b) of Sub-Section 2 of Section 37 on page 22.

Please read 'whether' instead of 'wheather' in Sub-Section (2) of Section 43 on page 28.

Please read 'Trustees' instead of 'Trustee' in the 5th line of Section 66 on page 44.

Please read 'sums' instead of 'suns' in the 1st line of Section 3 of Section 78, on page 52.

Please read marginal note "Disposal of unexpended balances" instead of Sec. 81 instead of against Sec. 80 (2).

Please read the word 'unexpended' instead of 'enexpended' in the 2nd line of Sub-Section 2 of Section 81.

Please read 'Board' instead of Trustees in the 2nd line of clause (b) of Sub-Section 4 of Section 10 on page 65.

Please read Section '108' instead of Section '08' on page 68.

Please omit 'Trustees' occurring between Port and Act in the 2nd line of Section 112 on page 69.

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4. *Mouza-Patharghata-page no-74*
5. *Mouza-Icha nagar-page no-75*
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7. *Mouza- Majher Char-page no-75
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