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**THE EVACUEE PROPERTY AND DISPLACED PERSONS  
LAWS (REPEAL) ACT, 1975  
(XIV of 1975)**

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**'THE EVACUEE PROPERTY AND DISPLACED PERSONS LAWS  
(REPEAL) ACT, 1975  
(XIV of 1975)**

[28<sup>th</sup> January, 1975]

**An  
Act**

*to repeal certain laws relating to evacuee property and rehabilitation of displaced persons*

**WHEREAS** it is expedient to repeal certain laws relating to evacuee property and the rehabilitation of the displaced persons;

It is hereby enacted as follows:—

**1. Short title and commencement.**— (1) This Act may be called the Evacuee Property and Displaced Persons Laws (Repeal) Act, 1975.

(2) It shall come into force at once and shall be deemed to have taken effect on the first day of July, 1974.

<sup>2</sup>[**1-A. Definitions.**— In this Act—

- (a) “Board of Revenue” means the Board of Revenue established under the Punjab Board of Revenue Act, 1957 (XI of 1957); and
- (b) “Government” means Government of the Punjab.]

**2. Repeal of certain laws.**— (1) The following Acts and Regulations are hereby repealed, namely:—

- (i) the Registration of Claims (Displaced Persons) Act, 1956 (III of 1956),
- (ii) the Pakistan Rehabilitation Act, 1956 (XLII of 1956),
- (iii) the Pakistan (Administration of Evacuee Property) Act, 1957 (XII of 1957),
- (iv) the Displaced Persons (Compensation and Rehabilitation) Act, 1958 (XXVIII of 1958),
- (v) the Displaced Persons (Land Settlement) Act, 1958 (XLVII of 1958),
- (vi) the Scrutiny of Claims (Evacuee Property) Regulation, 1961, and

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<sup>1</sup>This Act of Parliament received the assent of the President on the 28<sup>th</sup> January, 1975; and was published in the Gazette of Pakistan, Extraordinary, Part I, dated 28<sup>th</sup> January 1975, pages 33-35.

This Act was originally in the Federal ambit, however, the subject on which this law was enacted devolved to the provinces by virtue of 18th Amendment in the Constitution, hence it was adapted, with amendments, for the province of the Punjab by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012).

<sup>2</sup>Inserted by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.2.

(vii) the Price of Evacuee Property and Public Dues (Recovery) Regulation, 1971.

(2) Upon the repeal of the aforesaid Acts and Regulations, all proceedings which, immediately before such repeal, may be pending before the authorities appointed thereunder shall stand transferred for final disposal to such officers as may be notified by the <sup>3</sup>[Government] in the official Gazette and all cases decided by the Supreme Court or <sup>4</sup>[the Lahore High Court] such repeal which would have been remanded to any such authority in the absence of such repeal shall be remanded to the officers notified as aforesaid.

(3) Any proceedings transferred or remanded to an officer in pursuance of sub-section (2) shall be disposed of by him in accordance with the provisions of the Act or Regulation hereby repealed to which the proceedings relate.

(4) The final orders passed under sub-section (3) shall be executed by the <sup>5</sup>[Board of Revenue] in accordance with the provisions of the Act or the Regulation hereby repealed to which the proceedings related.

**3. Transfer of property.**— <sup>6</sup>[(1) All properties, both urban or rural, including agricultural land, other than such properties attached to charitable, religious or educational trusts or institutions, whether occupied or un-occupied, which may be available for disposal immediately before the repeal of the aforesaid Acts and Regulations or which may become available for disposal after such repeal as a result of a final order passed under sub-section (3) of section 2, shall stand transferred to the Government, for disposal—

- (a) in the case of urban properties, by the Government under a scheme to be prepared by it; and
- (b) in case of rural properties, by the Board of Revenue under a scheme to be prepared by the Government.]

Provided that agricultural land occupied by any person continuously for four harvests immediately preceding Kharif 1973 shall first be offered for sale to such person unless an order of ejection has been passed against him in respect of such land:

Provided further that only so much land shall be offered to such person as does not together with the land already held by him, exceed a subsistence holding within the meaning of the Land Reforms Regulation, 1972.

(2) The agricultural land temporarily allotted under any of the aforesaid Acts or Regulations to a displaced person from Jammu and Kashmir State or to such

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<sup>3</sup>Substituted for the words "Provincial Government" by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.3(i)(a).

<sup>4</sup>Substituted for the words "a High Court" by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.3(i)(b).

<sup>5</sup>Substituted for the words "Board of Revenue of the Province" by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.3(ii).

<sup>6</sup>Substituted by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.4(i).

other person as the <sup>7</sup>[Government] may determine who is not in cultivating possession of the allotted land, shall be offered for; sale to such allottee unless an order of cancellation of allotment has been passed against him in respect of such land:

Provided that only so much land shall be offered to such allottee as does not, together with the land already held by him, exceed a subsistence holding within the meaning of the Land Reforms Regulation, 1972:

Provided further that the temporary allottee or other person who purchases the land so offered to him shall not eject the tenant from such land except on the ground that he has failed to pay rent in accordance with the terms of his tenancy:

Provided further that, in the event of a displaced person from Jammu and Kashmir State or any of his successors-in-interest being repatriated to that State, he shall pay to the <sup>8</sup>[Government] the price of the land held by him at the rate ascertained by <sup>9</sup>[the Government].

**4. Disposal of residual work.**— All the work regarding documentation, both for the urban and rural properties, recovery of outstanding transfer price, rent or mortgage money of such property already disposed of and discharge of miscellaneous liabilities out of these recoveries, which may remain pending immediately before the repeal of the aforesaid Acts and Regulations shall stand transferred to the <sup>10</sup>[Board of Revenue].

**5. Power to make rules.**— The <sup>11</sup>[Government] may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

<sup>12</sup>[6. *Repeal.*— \* \* \* \* \* ]

### <sup>13</sup>STATEMENT OF OBJECTS AND REASONS

The Settlement Organisation was created in 1958 for the purpose of settling the displaced persons on evacuee properties against their verified names and for disposal of such property otherwise than by transfer to claimants, as envisaged in the Displaced Persons (Compensation and Rehabilitation) Act, 1958, and the

<sup>7</sup>Substituted for the words "Federal Government" by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.4(ii)(a).

<sup>8</sup>Substituted for the words "Provincial Government" by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.4(b).

<sup>9</sup>Substituted for the words "that Government" by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.4(b).

<sup>10</sup>Substituted for the words "Board of Revenue of the Province" by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.5.

<sup>11</sup>Substituted for the words "Provincial Government" by the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2012 (XXXVIII of 2012); and published in the Punjab Gazette (Extraordinary), dated 22.6.2012, pages 41707-41708, s.6.

<sup>12</sup>Omitted by the Federal Laws (Revision and Declaration) Ordinance, 1981 (XXVII of 1981); and published in the Gazette of Pakistan (Extraordinary), dated 8.7.1981, pages 345-475, s. 3 and Second Schedule, at serial No.182.

<sup>13</sup>Statement of Objects and Reasons; and published in the Gazette of Pakistan (Extraordinary), Part III, dated 18.1.1975, page 20.

Displaced Persons (Land Settlement) Act, 1958. The bulk of the work was disposed of and a Crash Programme was launched for the completion of the residual work upto 30<sup>th</sup> June 1974, on which date the laws relating to evacuee property and rehabilitation of displaced persons were also to be repealed. However, as the litigation in these matters was essentially of a civil nature, it was proposed that on the repeal of these laws proceeding which may be pending on 1<sup>st</sup> July, 1974 before any authority under the said laws, or be remanded by the superior courts after that day, be entrusted to some agency for final disposal Besides, the property which remained undisposed of, or the work which was pending, at the time of repeal of these laws, it had to be entrusted to certain agency for disposal or completion.

The Evacuee Property and Displaced Persons Law (Repeal) Ordinance, 1974 (XV of 1974), was promulgated to achieve the above objects. It is necessary to put the provisions of the said Ordinance on the Statute Book permanently and this the Bill seeks to do.