

LEGISLATIVE ASSEMBLY OF AZAD JAMMU AND KASHMIR

Muzaffarabad

dated the July 11, 1973.

No. 1815/LA/73. The following Act of the Legislative Assembly received the assent of the President and is hereby published for general information: -

THE PAKISTAN ADMINISTRATION OF EVACUEE PROPERTY
(AMENDMENT) ACT, 1973

An Act to amend the Pakistan Administration of Evacuee property Act, 1957 as in force in Azad Jammu and Kashmir Territory.

Whereas doubts have arisen, about the interpretation and the definition of 'evacuee' and 'evacuee property' as contained in Section 2 of the Pakistan Administration of Evacuee property Act, 1957, about the status of a person leaving Azad Jammu and Kashmir Territory for Pakistan or residing in Pakistan after the war of Liberation of 1947;

And whereas it is expedient to remove such doubts in order to save such person from being treated as evacuee and his property as evacuee property:

It is hereby, enacted as follows:

1. Short title, extent and commencement:- (1) This Act may be called the Pakistan Administration of Evacuee Property (Amendment) Act, 1973.

(2) It shall come into force at once.

(3) It shall extend to the whole of Azad Jammu and Kashmir Territory.

2. Amendment of section 2 Act XII of 1957:- In the Pakistan Administration of Evacuee Property Act, 1957, as adapted in Azad Jammu and Kashmir, hereinafter called the said Act, after clause (e) of sub-section (2) of section 2 the following new clause (f) shall be added: -

"(f) Notwithstanding anything contained in section 2 a person is

not an evacuee who has left Azad Jammu and Kashmir territory for Pakistan and is residing or has settled at any place in Pakistan

after or as a result of the war of Liberation of 1947."

Addition of sub-section (6-A) after sub-section (6) of section 43:- After sub-section (6) of section 43 of the said Act, the following sub-section (6-A), shall be added, namely:-

"(6-A) The Custodian or Additional Custodian on application made to him in this behalf at any time or of his own motion after giving notice to the parties concerned may review his own order or judgment passed by his predecessor-in-office so as to bring the order or judgment in conformity with amendment made in Section 2 of the said Act and the purpose for which it has been made:

Provided that while reviewing such orders if a refugee is in possession of the evacuee land duly allotted to him he shall not be dispossessed therefrom unless compensation has been paid to him or he has been provided with alternate land by the Government."

The amendment in section 2 and section 43 shall be deemed to have been in force since the date of coming into force of the Pakistan Administration of Evacuee Property Act, 1957;

Sd/-

(Ashfaq Ahmed Khan)

Secretary,

Legislative Assembly of Azad Jammu and Kashmir.