EXTRA ORDINARY ISSUE REGISTERED No. L-7532

The Punjab Gazette

PUBLISHED BY AUTHORITY

LAHORE MONDAY SEPTEMBER 26, 2022

PROVINCIAL ASSEMBLY OF THE PUNJAB

NOTIFICATION

September 26, 2022

No. PAP/Legis-2(133)/2021/36. The Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Bill 2021, having been passed by the Provincial Assembly of the Punjab on September 12, 2022, and assented to by the Governor of the Punjab on September 23, 2022, is hereby published as an Act of the Provincial Assembly of the Punjab.

THE EVACUEE PROPERTY AND DISPLACED PERSONS LAWS (REPEAL) (AMENDMENT) ACT 2022

ACT XXI OF 2022

[First published, after having received the assent of the Governor of the Punjab, in the Gazette of the Punjab (Extraordinary) dated September 26, 2022.]

An
Act

to amend the Evacuee Property and Displaced Persons Laws (Repeal) Act, 1975.

It is necessary to amend the Evacuee Property and Displaced Persons Laws (Repeal) Act, 1975 (XIV of 1975) for purposes hereinafter appearing.

Be it enacted by Provincial Assembly of the Punjab as follows:

1. **Short title and commencement.**– (1) This Act may be cited as the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2022.

(2) This Act shall come into force at once.

2. **Amendment of section 1-A of Act XIV of 1975.**– In the Evacuee Property and Displaced Persons Laws (Repeal) Act, 1975 (XIV of 1975), for brevity referred to as 'the Act', in section 1-A, in clause (a), the word "and" at the end shall be omitted, and thereafter the following clause (aa) shall be inserted:

"(aa) "Full Board" means the Full Board consisting of three Members of the Board of Revenue, constituted by the Senior Member, Board of Revenue from time to time; and".

3. **Amendment of section 2 of Act XIV of 1975.**– In the Act, in section 2:

(a) for subsection (2), the following shall be substituted:

"(2) Subject to the provisions of this section, in relation to any matter falling under the aforesaid Acts and Regulations, all proceedings pending before any notified officer immediately before the commencement of the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2022, shall stand transferred for final disposal to the Full Board, and all cases decided by the Supreme Court or the Lahore High Court after the commencement of the said Act of 2022 which would have been remanded to the notified officer shall be remanded to the Full Board.";

(b) after subsection (2), the following subsections (2-A) and (2-B) shall be inserted:

"(2-A) All properties allotted after the repeal of the Acts and Regulations mentioned in subsection (1) shall be subject to scrutiny at any time, and after observing due process of law, if it is found that any land or property was allotted in contravention of any law or through fraud, forgery or misrepresentation, such allotment shall be cancelled.

(2-B) All proceedings which, immediately before the commencement of the Evacuee Property and Displaced Persons Laws (Repeal) (Amendment) Act 2022 in relation to adjustment, allotment or utilization of former evacuee land against verified claims of produce index units of claimants, are pending before a notified officer shall stand abated:

Provided that such proceedings in relation to cancellation of adjustment, allotment or utilization of land made against pending claims of produce index units after 1st day of July 1974 in contravention of any law shall not stand abated and shall be decided in accordance with law."; and

(c) for sub-section (3), the following shall be substituted:

"(3) Any proceedings transferred or remanded to the Full Board in pursuance of sub-section (2) shall be disposed of by the Full Board in accordance with the provisions of the aforesaid repealed Acts or Regulations to which the proceedings relate, within a period of ninety days of such transfer or remand, as the case may be.

Explanation.– The decision of the majority shall be the decision of the Full Board.".

4. **Substitution of section 3 of Act XIV of 1975.**– In the Act, for section 3, the following shall be substituted:

"3. **Transfer of property**.– All properties, both urban and 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 cancellation of any fraudulent allotment shall stand transferred to the Government for utilization for public purposes.".

Inayat Ullah Lak
Secretary