

**THE ADMINISTRATION OF EVACUEE PROPERTY
(AMENDMENT) ORDINANCE, 1971**

(Ordinance XVIII of 1971)

An Ordinance 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;

And whereas the Legislative Assembly is not in session and the President is satisfied that circumstances exist and the emergency has arisen which render immediate legislation necessary;

Now, therefore, in exercise of the powers vested in him under Section 24 of the Azad Jammu and Kashmir Government Act, 1970 and all other powers enabling him in this behalf, the President is pleased to make and promulgate the following ordinance:-

1. **Short title and Commencement:-** (1) This Ordinance may be called the Pakistan Administration of Evacuee property (Amendment) Ordinance, 1971.

(2) It shall come into force at once.

2. **Amendment of Section 2 of Act, XII of 1957:-** In the Pakistan Administration of Evacuee Property Act, 1957, as adopted in Azad Kashmir (hereinafter called the said Act), after clause (e) of sub-section (2) of Section 2 the following new sub-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."

3. 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 new 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 or an 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."
 4. The amendments 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.
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