Chapter VIII
Nature and Causes of Migration.

In the words of O.H.K. Spate the partition of the Punjab "enforced movements of the people on a scale absolutely unparalleled in the history of the world." Horace Alexander writes, "there must be many examples in the bloody history of mankind where the extent of violence has been as great or even greater but it is probably true that there has never been such a huge exchange of population." According to Stephen P. Landas, the Convention of Noviely 1919, between Bulgaria and Greece and Convention of La-Usanne 1923 between Greece and Turkey both "caused the uprooting of two million people." But in the case of the East Punjab and the West Punjab more than eight million people crossed the border. Hitherto known as the biggest exchange of population between Turkey and Greece was accomplished in a year or so whereas in the East Punjab and the West Punjab the transfer of eight million human souls did not take more than three months. In Bulgaria and Greece the national minorities had the "right of leaving the country of origin and emigrating the other country under the conditions which would guarantee them full value of properties left behind," whereas in the East Punjab and the West Punjab the minorities were made to quit their hearths and homes in the most adverse

1. O.H.K. Spate, India & Pakistan, page 110.
5. Idem.
circumstances created by communal riots and they had to reach the country of their destination mostly like paupers and destitutes. According to Andrus "The massive exchange of population that attended the partition of the sub-continent and the conditions under which it took place are almost unprecedented in history."  

Unlike the transfer of populations in the European countries, the mass migration in the East Punjab and the West Punjab did not follow any settled policy because the Congress and the League followed different ideologies with regard to the exchange of population. The Congress was against the principle of exchange of minorities from the very beginning. When Dr. Syed Abdul Latif wrote in 1939 that "one of the objects of transitional Constitution is to facilitate and prepare the ground for the migration of the Muslims and the Hindus into the zones specified for them so as to develop them into culturally homogenous States", Shri Jawahar Lal Nehru replied, "your scheme of redistribution of population and areas in India seems to me somewhat fantastic from practical point of view." Dr. Rajendra Prasad who was then the President of All-India Congress Committee wrote to Dr. Syed Abdul Latif on 2nd January, 1940 the following questions, evidently to prove the impracticability of the suggestion of transfer of population:—

1. "After exchange of population when it is completed, what do you contemplate to be the area and population of each

block whether Hindu or Muslim? I am of course assuming that there would be no Muslim in any Hindu area or no Hindu or Sikh in any Muslim area.

2. "Is the emigrant to be paid anything beyond the cost of transport? It is assumed that he will carry with him all his movables and will be provided with land in the block to which he is transferred. Will he be compensated for the immovables which he will leave behind?

3. "Who will pay the cost, the block to which he is transferred or the block from which he goes or both and if the last in what proportion?"

The Congress leaders did not change their views with regard to the exchange of population even after the announcement of 3rd June Plan and subsequent transfer of power to India and Pakistan. Mahatma Gandhi during his visit to Lahore said on the 7th August, 1947, "I am grieved to learn that people are running away from the West Punjab and I am told that Lahore is being evacuated by non-Muslims. I must say that this is what it should not be." Even the terrible communal riots in the Punjab leading to mass migration did not shake his faith and it was at his instance that All-India Congress Committee passed the following resolution in November 1947:- "While it is impossible to undo all that has been done, every effort should be made to enable evacuees and refugees from either Dominion ultimately to return to their homes and to their original occupation under the conditions of safety and security."

The Muslim League's attitude towards the problem of exchange of minorities was very different. The Muslim League leaders had been advocates of exchange of population because it strengthened their two nation theory viz the Hindus and the Muslims being two separate nations could not live together. Chowdhury Rehmat Ali's first commandment was "Avoid minorityism." He wrote in the "Millat and Mission" in 1942, Minorityism" means the problem created by those religious, social or political minorities which possess an active consciousness of their own nationality and consequently oppose their inclusion in or assimilation by another nation or State. It is a notorious fact that since the rise of "Nationalism" such minorities have done greater harm to the nations concerned than ever before and that therefore, most of the nations for their own safety are trying to get rid of them by exchange, expulsion or segregation.... And these nations see to it that whatever the situation the minorities live rather as "fifth columnist than as loyal citizens." Again he wrote, "we must not have our minorities in Hindoo lands.... Nor must we keep Hindoo and/or Sikh minorities in our own lands even if they themselves were willing to remain with or without any special safeguards. For they will retard our national reconstruction and in the times of crisis they will betray us and bring about our redstruction." Mr. Jinnah had on several occasions expressed his views that exchange of

population was essential along with the partition of India. 
On December 10, 1945 he said, "there will have to be exchange of population if it can be done on purely voluntary basis." 
On November 15, 1946 he more firmly asserted, "the exchange of population will have to be considered seriously as far as possible especially after this Bihar tragedy." Ten days after at Karachi he reiterated firmly.... "the authorities both Central and Provincial should take up immediately the question of exchange of population." Again only a few months before the transfer of power and establishment of Pakistan, Mr. Jinnah expressed his firm conviction on 30th April, 1947:- "Sooner or later exchange of population will have to take place and the Constituent Assemblies of Pakistan and Hindustan will have to take up this matter." Khan Iftikhar Hussain Khan of Mamdot, the President of Punjab Muslim League said that "exchange of population offered a most practical solution of the multifarious problems of the Muslims." He asserted, "we are not going to ask Sardar Patel or Dr. Khare for it but we will get it by our inherent strength. The exchange of population will wipe out the most important argument against Pakistan which has been persistently fired from the Congress armoury."

The communal riots of March 1947 unnerve the Sikhs and Hindus because the Sikh and Hindu population of several villages had been wiped out. This convinced the Sikhs that it

would be impossible for them to live safely in the Muslim majority areas likely to be included in Pakistan. It was on this account that a joint meeting of the Panthic Assembly party, the Working Committee of Shromani Akali Dal and Panthic Pratinidhi Board passed the resolution on 14th June, 1947 at New Delhi to the effect that "the Punjab Boundary Commission should be given express directions to make recommendations for the transfer of the Hindu and the Sikh population and property from the western part of the Punjab to the Eastern part after the partition has been affected on an equitable basis. This conference apprehends that in the absence of provision of transfer of population and property the very purpose of partition would be defeated." Since the Indian National Congress was deadly against the principle of exchange of minorities, Muslim League did not raise this issue. According to Allan Campbell Johnson, "Economically such an exodus seemed to run counter to the interests of the two new Governments and the Congress and Muslim League must not be blamed for being averse to putting it into effect in advance of events."  

The Causes of Mass Migration -

There is a controversy regarding the basic causes which led to the mass migrations on the both sides. Some writers are of the view that the Sikhs and the Hindus organised their mass exodus in order to cripple Pakistan economically as they held important positions in the economic structure of the West.

Punjab. L.F. Rushbrook William writes, “In Lahore and Lyallpur, they say, there was exodus which looked concerted not only of men life but also of clerks, minor officials of substance in the business and professional in every Department of Government, nurses, orderlies, school masters and medical staff. Even prosperous Sikh farmers are said to have left their land on the assurance that they would be able to return in six weeks when Pakistan collapsed.” Sir Francis Mudie, the Governor of the West Punjab in 1947 told the writer that Giani Kartar Singh met him at Lyallpur and requested him to give necessary facilities to the Sikhs for going to India as they had decided to leave Pakistan. But the assumption that the non-Muslims voluntarily left Pakistan does not appear to be correct. Alan Campbell Johnson is perfectly right when he writes that “only the compulsion of the communal mass killings and fear of reprisals could have brought about mass migrations.” Giani Kartar Singh argued to the writer that before requesting Sir Francis Mudie he had definite information that Mr. Jinnah had instructed the Governor of the West Punjab to expel all the Sikhs from Pakistan. Subsequently this was confirmed by a letter of Sir Francis intercepted by the East Punjab Police. This letter was addressed to Mr. Jinnah, the Governor General of Pakistan. Sir Francis confirmed to the writer that it was his letter. It was stated there:— "At Chuharkana in the Sheikhupura District I saw between a lakh and a half of Sikhs collected in the town and round it, in the houses, on the roofs and every where. It was exactly like the Magh Mela at Allahabad.

It will take 45 trains to move them even at 4,000 people per train or if they are to stay there they will have to be given 50 tons of ata a day. At Gobindgarh in the same district there was a collection of 30,000 or 40,000 Mazhabi Sikhs with arms. They refused even to talk to the Deputy Commissioner, an Anglo-Indian who advanced with a flag of truce. They shot at him and missed. Finally arrangements were made to evacuate the lot. I am telling every one that I do not care how the Sikhs get across the border, the great thing is to get rid of them as soon as possible. There is still little sign of 3 lakh Sikhs in Lyallpur moving but in the end they too will have to go."

Another significant factor leading to forced migration of the non-Muslims from the West Punjab was the "Economic Rehabilitation Ordinance." Contrary to the very spirit of agreement and statements of 3rd September wherein both the Governments of the East Punjab and the West Punjab had agreed "not to recognize illegal seizure of property belonging to the refugees" the West Punjab Government issued this ordinance, by which the Rehabilitation Commissioner, West Punjab was to assume possession and control of the abandoned lands and business undertakings and to grant their temporary

I wrote to Justice G.D. Khosla enquiring the authenticity of this letter and was informed that the photographic copy of this letter was supplied to him by the East Punjab Government. The text of the letter quoted in 'Stern Reckoning' has got more details than similar letters quoted in other books. Subsequently I learned from S. Sant Parkash Singh, I.G., Police 1947 that this letter was intercepted by the East Punjab Police.

lease for period of one year. He was also empowered to permit the occupation of any abandoned building by the refugees or other persons. According to the Clause No. 4 of the "Economic Rehabilitation Ordinance" the following powers were given to the Rehabilitation Commissioner:

(a) assume possession and control of abandoned lands, business undertakings.
(b) grant temporary leases of abandoned agricultural holdings in his possession to refugees for a term not exceeding one year.
(c) arrange for the reopening and carrying on of any abandoned business or undertaking.
(d) permit the occupation of any abandoned buildings in his possession by refugees or other persons. (26)

Consequently not only the houses and shops of the Hindus and the Sikhs of Lahore who had left their homes in panic were allotted to the Muslim refugees but the forcible occupation by the Muslim refugees of the properties left by the Hindus and the Sikhs was also legalised. Even before the issue of this ordinance the authorities in Lahore were responsible for forcible occupation of shops and houses belonging to the non-

Muslims. The Civil & Military Gazette, Lahore editorially pointed out on the 4th Sept., 1947, about one week before the issue of Economic Rehabilitation Ordinance, "it is a moot point legally if the authorities are empowered to remove locks and occupy premises without first ascertaining if the owners are dead or unwilling to return... it is open to question if the authorities can refuse to allow the owners when they return to re-occupy their houses. The Hindu businessmen who had left

Vide Appendix.
their homes in Lahore in panic on returning to the city found their houses occupied by the Muslims. In one case the Hindu owner of the house was not only refused permission to make an inventory of his furniture that he had left behind but was actually assaulted. The disposal of the Hindu and Sikh properties in this way without knowledge or consent of their owners was "another form of confiscation," which compelled the Hindus and the Sikhs to leave Pakistan for good. The Muslim refugees, in order to avail themselves of the houses and business of the non-Muslims, created panic and disorder to turn out the Hindus and the Sikhs. Sir Geoffrey, Prior Agent to the Governor General in Baluchistan rightly analysed the causes of migrations. He wrote that "the reason appears simply to drive out minority community and enjoy the fruits of business which they have built through many years. The attitude of these persons to my mind is like that of loathsome vulture who sits by a dying animal waiting to pick up its bones."

Following were some of the general causes which led to the mass migrations in the East Punjab and the West Punjab:

Role of Refugees

The refugees from the West Punjab were mostly responsible for the trouble in the East Punjab. The non-Muslim refugees had been migrating ever since the disturbances in the districts of Rawalpindi, Multan and other areas. A camp for non-Muslim refugees had already been started at Wah, district

28. Ibid.
Attock, because "the population in those areas often with connivance and even with encouragement of the Government officials committed atrocities on the non-Muslims." Wherever these refugees went they carried with them tales of woe and sufferings creating tension and panic. The Muslim leaders never expressed any regret nor condemned these attacks on the non-Muslims. There had been many instances where the Muslim ruffians had killed the individual Sikhs. According to Master Tara Singh it was in this atmosphere of frustration that the Sikhs and Hindus resorted to retaliation. Following the disturbances in Amritsar and Hoshiarpur, rioting, arson and murder broke out in other districts. As the refugees progressed eastward, communal troubles also spread causing migration of the Muslims from the East Punjab. What had happened in the West Punjab was re-enacted in the East Punjab in August and September on large scale with more ferocity.

Over large areas in the East Punjab the Sikh mobs attacked almost every Muslim village, killed a large number of Muslims and harried the columns of Muslim refugees. At places like Dasua, District Hoshiarpur, where the Muslims were in a majority, they accommodated a large number of Muslim refugees and armed themselves with fire-arms, swords and spears etc. There were open fights between the hostile mobs. One Jamadar who was on leave in his village in district Jullundur wrote to a Major in the Eastern Command on 23rd August:- "This

xx. 31. Ibid.
34. Ibid.
country has become a battle field since 16th August. One village attacks the other village and one community another community. No body could sleep for a week. Villages are "being destroyed and thousands killed or wounded. Smoke-fires are seen every where all round my village. Every day too many casualties take place in this country."

This was further followed by counter retaliation with attacks on minorities in the West Punjab. "A [35] reliable British Lieutenant Colonel in the Pakistan Army stated on 13th Sept. 1947 that some 250 armed Pathans from the Frontier have drifted into Lahore and the surrounding villages." The same malady of death and fire was repeated on the Hindus and Sikhs of Lahore and its surrounding areas. The Muslims in the West Punjab saw that by attacking the Sikhs and Hindus who owned property and land, they could acquire their properties. Exactly the same happened in the East Punjab where the Sikhs and the Hindus attacked the Muslims to drive them out in order to acquire their lands.

Transfer of Civil & Public Officers:

One of the most important factors which paved the way for the law of nemesis to work in the East Punjab and the West Punjab was the exchange of Deputy Commissioner, Magistracy and other high officials belonging to minority community in the opting out process provided by the Punjab Partition Committee. Their departure from amidst the minorities to whom they belonged undermined their sense of security in that tense atmosphere of communal rioting. The very presence of a strong officer

35. Sir Francis Tuker, While Memory Serves, page 431.
36. Ibid, page 479.
belonging to minority had sufficient deterring effect on the majority community. The D.L.O., Gujranwala wrote that "it is an admitted fact even by the Muslims that non-Muslim Deputy Commissioner of Gujranwala controlled the situation with a strong hand even though trouble had been brewing for a long time and tension grew from day-to-day. His departure was a signal to the Muslim officers of the district who openly became hostile to the non-Muslims." One of the most conspicuous exceptions was that of a Muslim Deputy Commissioner of Shahpur. According to the D.L.O., Shahpur "it was due to his presence that the district had been much quieter than many districts."  

The officers who had been recently transferred as a result of partition were themselves affected by communal rioting. After taking charge of their new posts they incited retaliation, as in the case at Bhakkar, district Mianwali, West Punjab. District Liaison Officer, Mianwali wrote, "on afternoon of 2nd September the Muslim Zamindars went to pay their respects to the newly arrived S.D.O., who had been relieved from Gurdaspur, and some of the leading Hindus of the town were also there. In the presence of all these persons the S.D.O. said that he was simply astonished to find that so far nothing had taken place at Bhakkar while in Gurdaspur district the Sikhs had raped and abducted Muslim girls and murdered and looted innumerable innocent Muslims. On the 3rd September there was a beat of drum and a mob of two or three thousand strong entered the

"Infection" of Police -

The police officers can hardly escape the responsibility for expulsion of the minorities both in the West Punjab and the East Punjab. In the United Punjab 74.1 per cent of the regular Police Force was Muslim and 78.2 per cent of Additional Police was Muslim. Most of the Muslim constables had opted for the West Punjab. As some of the Muslim constables were reported to have fled away to Pakistan with equipment etc. in the border districts of the East Punjab, the East Punjab Government decided to relieve the Muslim constables at once. Consequently they were relieved at Amritsar on 10th August. This greatly unnerved the Muslims and undermined their sense of security. These affected Policemen along with a bulk of others openly indulged in committing crimes on the non-Muslims in the West Punjab. At places Police officials in the West Punjab did every thing to turn out Hindus and the Sikhs. D.I.O., Gujranwala reported that a Police Officer of Nowshera Virkan (District Gujranwala) "proclaimed with a beat of drum that the Kafirs should accept Islam or be massacred. He collected Muslims at a bridge of the canal and told them that they should kill and loot the non-Muslims." The worst was the conduct of a Police Officer at Kamoke (District Gujranwala) where non-Muslim girls were distributed among Police officers, their friends and relatives after massacre of a refugee train there.

In the East Punjab new Police-men had to be recruited

41. Stern Reckoning, Foot Note, page 278,
42. A.N. Bali, Now it can be Told, page 40.
because out of about 20672 police force of the united Punjab, East Punjab had been left with only 7185. The policemen who had been transferred from West Punjab had seen communal rioting and were themselves affected. In the new recruitment most of the policemen were refugees from the West Punjab. In this way the newly organised police in the East Punjab was infected with communal virus. When trouble started in the East Punjab, instead of controlling it, these policemen abetted the wrong doers. Justice G.D. Khosla writes, "We must also confess that there was a regrettable lack of honesty of purpose on the part of the police and certain other agencies in charge of the maintenance of law and order. This was found especially marked in the railway police in Ambala and number of their men had to be arrested on the charges of looting and murder in other districts also." It has been rightly stated by one of the staff officers of the G.O.C. Eastern Command:- "There is no doubt whatsoever that the police of both the East Punjab and the West Punjab joined in the slaughter and looting of minority communities."

Indifference of Dominion Governments -

The decision in favour of exchange of minorities by the Dominion Governments would have uprooted the entire Muslim population in India and non-Muslim populations in Pakistan. It would have created a gigantic problem for both newly born States. It was on this account that the two Government did not

45. Stern Reckoning, page 280.
46. While Memory Serves, page 491.
favour the idea of exchange of population. On the other hand the ever deteriorating situation in the East Punjab and the West Punjab demanded firm action and a clear-cut policy. When the problem of the Hindu and Sikh refugees in Pakistan was discussed in the Partition Council's meeting held on 5th August Mr. Liaqat Ali Khan said, "this item may be taken up at the next meeting of the Council as he had not had sufficient time to study the papers" and at the same time he said "refugees from States should also be considered. There had recently been serious trouble in Alwar State and 200 refugees, men, women and children from that place had arrived in Delhi yesterday."

Similarly Sardar Patel, the Deputy Prime Minister of India asserted in a note, "The Indian Railways in the circumstances consider it most inadvisable to run special trains from India to Karachi unless arrangements are made at the other end to run an equal number of trains for transporting men wishing to come over to India." Both Indian and Pakistan Governments could not take comprehensive view of the ever deteriorating situation in the East Punjab and the West Punjab. The riots, with arson, murders, loot and abduction of women, were spreading like wild fire, setting a chain of retaliation and counter-retaliation, up-rooting the minorities on both sides of the border. The people belonging to minority community were fleeing. Under these emergent conditions of grave nature, the representatives of India and Pakistan made the following decision in their meeting held on the 17th August 1947:- "The Governments of the East Punjab and the West Punjab will give maximum

47. P.P. Vol. IV, page 592.
assistance towards evacuation of refugees from one province to another and will make necessary arrangements for refugees prior to evacuation. The Central Governments will give whatever assistance may be needed for maintaining services and communication.

Vague Decision -

As it is evident from the wording, this decision was vague and was of a negative character. The term 'refugee' was not made clear. Normally, the term is used for persons taking refuge in another country. Here the term was used for the persons intending migration to the other country. No decision was made regarding the members of minority communities who were encircled by hostile mobs in their own houses and streets. The most unfortunate aspect of this decision was that it was interpreted differently by the representatives of India and Pakistan who had made this decision. The Prime Minister of Pakistan asserted that the purpose of this decision was to evacuate those who wished to migrate and were afraid to remain in their homes and this decision was to be applied only in the case of Muslims of Jullundur Division as he said in a statement, "We had indeed hoped that the evacuation of Muslims from East Punjab would not extend to Ambala Division." The Deputy Prime Minister of India was of the view that if the Hindus and Sikhs could not live in peace and honour in the West Punjab and Government of India have no means of ensuring this, primary condition, it is better to allow migration, which is going on to find its natural termination by complete exchange of population between

Mutual Differences -

The leaders of India and Pakistan who had recently taken the reins of Government into their hands in their respective Dominions had had their mutual differences. Their lack of mutual understanding on the common problems had an adverse effect. Sir Francis Mudie, the newly appointed Governor of West Punjab wrote to Governor General of Pakistan in his letter dated 5th September:— "We had from our point of view a successful meeting with Nehru, Patel and Company on Wednesday (3rd September). The main fight was over certain proposals of the East Punjab by which their troops or officials would be allowed to enter West Punjab on various pretext. Finally I had it conveyed to Nehru that the conference would break down unless they gave way which they did. I hope that we have now seen the end of visits to this province of Nehru and his fellow politicians." It may be pointed out that only on the previous day (2nd Sept.) the Sikhs and the Hindus of Lyallpur had requested Shri Jawahar Lal Nehru to pay them a visit every now and then, to which Pandit Nehru, with the consent of Mr. Liaqat Ali Khan, had agreed. But the very next day this possibility was ruled out. It had very adverse effect on the minorities in the West Punjab.

False Rumours -

How false and baseless rumours by the refugees wrought

52. Stern Reckoning, page 315.
havoc can be estimated from Sheikhupura massacre of non-Muslims which has often been quoted an example for expulsion of non-Muslim minorities from the West Punjab. The Muslim refugees reached Sheikhupura on 21st August and with their arrival within a few days the city was agog with the rumour that the Sikhs had launched an attack. The Additional District Magistrate received the telegram that the Sikhs had attacked Joyomwala canal colony and the Muslims living there. This telegram had been sent by Sub Divisional Officer Canals. A curfew order was promulgated on the town from 6 P.M. to 6 A.M. during which houses of the Hindus and Sikhs were set on fire. On the following day Baluch regiment of the Punjab Boundary Force fired indiscriminately on the Hindus and the Sikhs with the result that hundreds of men, women and children were massacred. It was subsequently found that the rumour of the attack by the Sikhs was entirely baseless.

The Liaison Officer, District Montgomery wrote "On the auspicious day of Id-ul-Fitter on 18th August at 3 P.M. a rumour was set afloat in the town that a batch of Sikhs had attacked Muslim women who had gone to celebrate Id-ul-Fitter in the Partap Garden. The Muslim National Guard volunteers ran to the spot with naked swords shouting provocative slogans and


55. C. & M. dated 27th August, 1947. Soon after Pandit Jawahar Lal Nehru visited Sheikhupura and he held Sheikhupura administration responsible for this tragedy. The Governor of the West Punjab wrote to the Governor General of Pakistan "Pandit Nehru by his hectoring manner did considerable damage to the morale of district administration of Sheikhupura." Stern Reckoning, page 316.
a inciting the Muslim masses to rise and slaughter Sikhs."

"Wherever the trouble was started" he concludes "the attackers had always taken shelter behind the false plea that the Sikhs intended to attack and had taken the initiative. Shouts were raised to collect Muslims and to provoke them to attack the non-Muslims. As a result of these attacks non-Muslims inhabiting the countryside were forced to migrate." D.L.O., Gujrat wrote, "On the 18th August false and wild rumours were set afloat that the Sikhs were going to attack the Muslims whereupon Muslim "Goondas" (ruffians) took law into their own hands and with the help of Muslim gangsters of neighbouring villages made a concerted attack on peaceful and anxious non-Muslim citizens of Gujrat."

Deprived of the officers of their community, minorities in the East and the West Punjab were faced with hostile mobs, communally infected military and police, and police, and infuriated refugees who wanted the possession of their houses, lands and business undertakings. Loot, murder, arson and abduction of women and children done at other places left them with no option except to migrate and leave the places where they and their ancestors had lived for centuries.

58. Vide Chapter "The Punjab Boundary Force."
APPENDIX

The West Punjab Ordinance No. IV of September, 1947.

WHEREAS the Governor of West Punjab is satisfied that circumstances exist which render it necessary for him to take immediate action to restore and maintain the economic life of the Province and to ensure the orderly settlement of persons who have taken refuge in the Province on account of the late disturbances in the adjoining territory of East Punjab;

NOW, THEREFORE, in exercise of the powers conferred by section 88 of the Government of India Act, 1935, the Governor of West Punjab is pleased to make and promulgate the following Ordinance, namely:-

1. (1) This Ordinance, may be called the West Punjab Economic Rehabilitation Ordinance, 1947.
   (2) It shall extend to the whole of West Punjab.
   (3) It shall come into force at once.

2. (1) The Provincial Government may, by notification in the official Gazette, appoint a Rehabilitation Commissioner for the Province, and Assistant Rehabilitation Commissioners for such local areas as may be specified in the notification.
   (2) The Director of Industries, West Punjab, shall be Deputy Rehabilitation Commissioner for the Province, and may exercise all the powers of the Rehabilitation Commissioner in respect of industrial undertakings dealt with under this Ordinance; provided that in the discharge of his functions under this Ordinance, the Director of Industries shall be subject to the control of
the Rehabilitation Commissioner, and shall comply with all instructions, whether special or general, issued by the Rehabilitation Commissioner.

3. Subject to the provisions of this Ordinance, the powers and duties of the Rehabilitation Commissioner shall extend to the following matters, namely:

(a) to repair the dislocation in the economic life of the Province caused by the abandonment of property and the closing down of business and undertakings, on account of the owners, or, as the case may be, the tenants, employees or workmen having left the Province in consequence of the late disturbances; and

(b) to secure the orderly absorption into the economic structure of the Province of persons who have sought refuge in the Province on account of the late disturbances in the adjoining territories.

4. (1) The Rehabilitation Commissioner may make such general or special orders, not inconsistent with this Ordinance or any other law for the time being in force, as may be necessary for the discharge of his functions; provided that no order of a general nature shall be made without the previous approval of the Provincial Government.

(2) In particular, and without prejudice to the generality of the powers conferred by the preceding subsection, the Rehabilitation Commissioner may —

(a) assume possession and control of abandoned lands, business and undertakings;

(b) grant temporary leases of abandoned agricultural holdings in his possession to refugees, for a term not exceeding one year;

(c) arrange for the re-opening and carrying on of any abandoned business or undertaking;
(a) permit the occupation of any abandoned building in his possession by refugees or other persons;

(e) require the owner or manager of any business or undertaking to give employment to refugees;

(f) require the letting of storage and residential accommodation to refugees, or to any other persons;

(g) requisition any moveable property; and

(h) summon, by notice, and person who in his belief, possesses any relevant information of document concerning any evacuee property, business or undertaking to make and sign a statement or to produce such document and permit copies to be taken of any part thereof.

5. Whenever possession or control is assumed by any authority empowered by or under this Ordinance of any abandoned land, building, business or undertaking, such authority shall send a copy of its proceedings, containing all available particulars of the location and the ownership of the property, business or undertaking, to the Custodian of Evacuee Property for record in his office.

3. The Rehabilitation Commissioner shall not grant a lease of any immovable property if in respect thereof there is an existing lease and the lessee is ready, able and willing to carry out the conditions thereof, and any such lease granted by the Rehabilitation Commissioner shall take effect according to its tenor, notwithstanding anything contained in any instrument of lease, grant or other demise whatsoever, which may be in existence in relation to the same land.

7. Whenever any property is requisitioned under the provisions of this Ordinance, the owner thereof shall be paid such compensation as the Rehabilitation Commissioner may determine.
8. If in the opinion of the Rehabilitation Commissioner it is necessary for the discharge of his functions that he should assume possession or control of any abandoned property, business or undertaking which is in the possession or under the control of a Custodian of Evacuee Property, or any other person authorised by any law for the time being in force, the Rehabilitation Commissioner may by order in writing require such Custodian or other person to deliver possession or control of such abandoned property, business or undertaking to him, and such Custodian or other person shall forthwith comply with such order.

9. No suit, prosecution, or other legal proceeding shall lie against the Provincial Government, the Rehabilitation Commissioner, or any person acting under his direction, for anything which is in good faith done or intended to be done in pursuance of this Ordinance.

10. The Provincial Government may, by notification in the official Gazette, make rules providing for:

(a) the delegation of powers by the Rehabilitation Commissioner to the Deputy Rehabilitation Commissioner, or an Assistant Rehabilitation Commissioner;

(b) the respective powers of the Deputy Rehabilitation Commissioner and the Assistant Rehabilitation Commissioners;

(c) the manner in which general orders made by the Rehabilitation Commissioner shall be published;

(d) the procedure to be adopted by authorities empowered by under this Ordinance; and

(e) generally for carrying out the purposes of this Ordinance.

11. In this Ordinance, unless the context otherwise
requires -

(a) the expression "abandoned", in any reference to a business or undertaking, means such a business or undertaking as has ceased wholly or partially to operate owing to the flight of its owner, or any of the employees (including workmen) from the Province in consequence of the late disturbances, and in any reference to any land or building, means any such property as has been left unoccupied owing to the flight of the owner, tenant or occupier, for the aforesaid reasons;

(b) the expression "evacuee" means any person who, being a resident of the Province, has gone away to some place outside the Province since the 1st January 1947, on account of the late disturbance, or who cannot, by the exercise of due diligence, be traced at his usual place of residence or business in the Province.

(c) the expression "refugee" means a person who has taken refuge in the Province on account of the late disturbance in the territory of East Punjab;

(d) the expression "Custodian of Evacuee Property" means the Custodian of Evacuee Property appointed under the West Punjab Evacuee Property (Preservation) Ordinance, 1947, but does not include a Deputy Custodian or an Assistant Custodian of Evacuee Property appointed under that Ordinance;

(e) the expressions "business" and "undertaking" do not include any business in the nature of banking;

(f) the expression "the Province" means the Province of West Punjab.

R.F. MUDIE
Governor of West Punjab

M.R. KAYANI
Secretary to Government, West Punjab
Legislative Department.