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# Formulation of Refugee-Settlement Policies in Punjab: A Case Study of the Ayub Khan Regime

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*This study looks into the refugee-settlement policies, designed by Ayub Khan regime. Ayub Khan government took a lot of initiatives to accommodate refugees on an emergency basis while attempting to redefine the state policy towards refugees' rehabilitation and settlement. This research evaluates what strategies did the Ayub Khan government use to expedite refugee settlement in Pakistan after 1958? What settlement policy did the State opt for the two different groups of refugees: agreed and non-agreed areas? And what were grievances of the refugees on these policies? This study explores that the Government of Pakistan introduced two different sets of compensation policies for evacuees i.e. one for agreed and the other for non-agreed areas. The disparity in policy gave rise to unending resentment among the refugee community in Punjab. However, the state housed significant numbers of the city's homeless refugees in a short span of time with cash payments totaling 25 crores and allotment of land in the form of houses, shops, industries, movie theaters, and factories (4,66,99,3 Units out of 5,10,778 Units) during Ayub's rule. The study argues that policy decisions, made during Ayub's period, drew criticism from refugees, but they unburned the state's economic issues while bringing permanent refugee settlement.*

**Key Words:** Refugees, Settlement, Claims, Policy, Evacuee property, Ayub Khan

## **Introduction**

The rehabilitation and settlement of refugees particularly in Punjab and generally in Pakistan went through many stages after partition of India 1947, underwent a complex and multi-stage evolution. It had remained under discussion in Inter-Dominion Conferences (1947-55) between India and Pakistan for many years.<sup>1</sup>It played a pivotal role in shaping the strategies for addressing the refugee crisis. During this period, they collaborated on several joint initiatives aimed at alleviating the challenges faced by refugees who had chosen to reside in a state different from their place of origin. The issue of evacuee property, directly tied to the resettlement of refugees in both nations, encountered numerous delays due to various factors. These factors included negotiations with the Indian government regarding refugee properties, the status of minority groups, and the ever-shifting policies and migration patterns of refugees over the years.

Although, partition scholars have done substantial research on refugee rehabilitation and their experiences, looking at both self-established squatter colonies and government-run relief and rehabilitation facilities.<sup>2</sup>A few of them focus on comparative studies of different cities across the borders aftermath of partition and its consequences.<sup>3</sup>Nevertheless, Zamindar investigates the protracted, difficult and ambivalent process of defining political borders between India and Pakistan after partition.<sup>4</sup>All valuable works add worth to the academic scholarship regarding partition and its aftermath and addressed refugees' crisis as a core question. In contrast, contemporary academic scholarship has turned its attention to the Ayub Khan regime, spanning from 1958 to 1969, recognizing it as a pivotal phase in the intricate process of rehabilitating and settling refugees in Pakistan. This period bore witness to a profound transformation in state policies, indicative of a substantive shift towards a policy framework aimed at achieving a lasting and stable settlement for refugees. Within this scholarly context, the present study engages in a meticulous examination of the state's settlement procedures during this specific timeframe, offering an insightful analysis of both the significance and the inherent deficiencies in these policies. These deficiencies, in turn, had a direct and palpable impact on the lives of refugees residing in Punjab.

Ayub Khan showed a strong commitment to swiftly resolving the refugee settlement issue and verifying their claims. His dedication was apparent even before the 1962 Constitution, as he aimed to create a solution reflecting the State's policy priorities.<sup>5</sup>In 1959, the administration under the leadership of Ayub Khan conducted a comprehensive examination of the

refugee situation and the associated settlement challenges. The resulting report encapsulated its observations by highlighting an analogy, stating that "A farmer provides his one yoke of oxen with sufficiently sheltered accommodations, encompassing an area exceeding 4 by 5 yards. Within this space, the oxen can comfortably stand, consume their fodder, and recline, either in repose or for a restful night's slumber."<sup>6</sup>

The refugees in Pakistan faced dire living conditions, with accommodation space even scarcer than what a farmer would allocate to a pair of oxen. This dismal situation reflected the harsh reality endured by a large refugee population. The research report painted a bleak picture of their settlement and rehabilitation. However, with the consolidation of military authority under Ayub Khan, there emerged a commitment to improving the refugees' situation. The government, within its economic policy framework, prioritized refugee rehabilitation. Yet, the challenge of limited resources during the early years of governance posed a simultaneous obstacle to achieving economic stability in the nation during that era.<sup>7</sup>

Ayub Khan requested a comprehensive plan from the relevant Ministry to address the refugee issues. Ministry of Rehabilitation and Works, later presented a working paper to the Cabinet, suggesting that the Pakistan government should exchange official records related to refugee claims with India to ensure data accuracy. Consequently, both governments decided to exchange evacuee property records, acknowledging their importance for refugee settlements. This official record exchange served as a verification mechanism for claims in both agreed and non-agreed areas of India and Pakistan.<sup>8</sup>The President issued directives to both the Ministry of Interior and the Ministry of Rehabilitation and Works,<sup>9</sup> seeking a comprehensive report encompassing various aspects of evacuated property, unsettled claims, and displaced population settlement. This report aimed to facilitate a thorough assessment of the current situation and the development of a refugee settlement plan. It sought answers to critical questions such as the types and quantities of outstanding claims, their monetary value, and strategies for resolving them. Additionally, it aimed to determine the number of unused units of evacuee property under custodial care and estimate their value. These inquiries formed the core of the report's content. In response to these crucial questions, the central government formulated a comprehensive strategy, which subsequently became the cornerstone of Ayub Khan's government's refugee settlement policy during his tenure.

This research undertakes a comprehensive analysis of the rehabilitation policy, employing an academic framework that encompasses

three central dimensions. Firstly, it delves into the legislative measures enacted to address the refugee situation. Secondly, it meticulously examines the procedures implemented for the collection and verification of refugee claims. Thirdly, it critically evaluates the programs designed to offer financial compensation to agricultural and urban property owners, in addition to the mechanisms established for the allocation of evacuee property.

### **A. Legislative Measures on Settlement Policy of the State**

The Ayub Khan regime placed a strong emphasis on legislative measures as a means to expedite the refugee settlement process, recognizing that legislative hurdles had previously served as significant obstacles that had delayed administrative and settlement efforts considerably. In response to this imperative, the Ministry of Rehabilitation and Works proposed amendments to both the Punjab Revenue and Punjab Tenancy Acts.

These proposed amendments sought to delegate authority to the Collectors and Assistant Collectors of claims, enabling them to adjudicate on cases related to refugee claims. Simultaneously, the Ministry aimed to centralize the jurisdiction of the Chief Settlement Commissioner exclusively for cases concerning evacuee property. This legislative shift was motivated by the mounting backlog of cases in Civil Courts and High Courts, a backlog that had resulted in prolonged delays in resolving these critical matters.<sup>10</sup>The Ministry of Refugee and Works proposed amending the Administration of Evacuee Property Act, 1957, which required the Custodian of Evacuee Property to be a current or retired High Court Judge. This amendment allowed the Chief Settlement Commissioner to also serve as Custodian, simplifying the process by reducing the Custodian's workload.

Another crucial legislative change involved amending the Displaced Persons (Compensation and Rehabilitation) Act, 1958. This amendment aimed to validate the appellate and revisional decisions made by Settlement and Additional Settlement Commissioners, especially in cases concerning the division of evacuee property among multiple claimants who were in possession of the property. This amendment conferred legal legitimacy on the decisions of these authorities, rendering them immune to legal challenges within the judicial system.<sup>11</sup>Furthermore, the State extended the provision for claimants to register objections to the authority's decision within a three-month window for the purpose of verification. Consequently, the government provided an exemption to individuals owning properties equivalent to 1000 index units. It's worth noting that the cabinet had also

considered extending this exemption to individuals owning 2000 units, with the intention of benefiting refugees and expediting the rehabilitation and settlement process. However, this proposed extension was not put into practice.<sup>12</sup>

Another notable amendment was made to the Administration of Evacuee Property Act, 1957 (XII of 1957), which empowered Provincial Governments to acquire property. However, this authority could only be exercised with the prior approval of the Central Government, and it was subject to any directives that the Central Government might deem necessary to issue at any given time.<sup>13</sup> The proposals of the Provincial Government to acquire evacuee property were typically approved, contingent upon the condition that the compensation for the acquired property was established through consultation with the custodian and subsequently remitted to that official for deposit into the evacuee property account. Nevertheless, instances had come to the attention of the Ministry in which evacuee property, acquired with prior approval from the Central government, had been significantly undervalued. In these cases, the property's worth had been determined in collaboration with the Custodian, resulting in a discrepancy in valuation.

For instance, in one particular case, a property that would typically command a value exceeding two lakhs was surprisingly assessed, with the custodian's agreement, at a mere sum of Rs. 19,182. Such instances of significant undervaluation were not isolated, and their cumulative impact posed a substantial risk to the evacuee property pool's financial stability.<sup>14</sup> To mitigate the potential for substantial losses within the evacuee property pool, especially given the crucial role of these assets in compensating displaced persons, it was deemed imperative to establish legal provisions allowing for the revision of assessed property values in appropriate cases. The significance of safeguarding the evacuee property pool against any form of loss during this critical period cannot be overstated.

As a means to address this concern, the state proposed an amendment to the Pakistan (Administration of Evacuee Property) Act, 1957. This amendment sought to grant the Central Government the authority to review property valuations in such cases and, subsequently, to recover the balance of the price from the eventual property transfer, thereby replenishing the evacuee property pool. A draft ordinance outlining the proposed amendment, which had secured approval from the Minister for Rehabilitation and Works and the Ministry of Law, was presented to the Cabinet for deliberation and passage. This decision was undertaken with the

aim of minimizing any further risks of loss to the evacuee property pool.<sup>15</sup>The legislative measures outlined above were enacted with the objective of facilitating a more streamlined refugee settlement process. Subsequently, the government, following these legislative amendments, invited refugees to submit their claims to the Settlement Commissioner and Additional Settlement Commissioner.<sup>16</sup> So, after legislative amendments, State desired to establish well-defined objectives and outline the strategies to address the refugees' claims of evacuee property.

## **B. Refugee's Claims and State's Strategy**

State conducted a rigorous examination of existing claims records while formulating claims policy. This approach was underpinned by the intricate complexities inherent in the process of transferring abandoned properties between Pakistan and India. Notably, these complexities were particularly pronounced in the context of agricultural lands, where significant disparities in terms of fertility and productivity existed between the two nations. Moreover, these disparities extended to the realms of tenancy laws, thereby significantly influencing the rights associated with abandoned properties. To navigate these intricate challenges and establish a coherent framework for determining compensation for eligible individuals, an informal single-tier committee was established. This committee, chaired by the Secretary to the Federal Ministry of Refugees, assumed a pivotal role in addressing these complex issues and in the development of guidelines aimed at ensuring the equitable resolution of claims related to abandoned properties.<sup>17</sup>

Furthermore, officials expressed dissatisfaction with the prior government's policy, which had indiscriminately entertained claims without a clear and well-defined stance on the claims originating from refugees arriving from either agreed or non-agreed areas. In response to this issue, a distinct Claims Organization was instituted, with a primary mission to meticulously assess and verify such claims. These claims were segregated based on whether they pertained to refugees from agreed or non-agreed areas. Notably, the verification process relied heavily on an ad hoc form of evidence, primarily constituted by oral testimonies presented by the claimants themselves.

Moreover, it was determined that individuals displaced from non-agreed areas should receive compensation for agricultural land akin to the scales and procedures employed for settling rural claims associated with agreed areas. However, the rehabilitation of rural claimants from agreed

areas was executed using distinct allotment scales, taking into account various types of land rights (including full ownership, partnership, occupancy tenancy, etc.), as well as the varying soil types within the land left in India. Unfortunately, these specific factors could not be consistently applied to non-agreed areas due to the predominantly oral nature of the settlement process. Consequently, despite considerable time and effort expended on each individual claim, the Ayub Khan government could satisfactorily verify only a small fraction, approximately 2.3%, of claims from agreed areas and a mere 1.5% of claims from non-agreed areas. This intricate verification process and reliance on oral evidence posed significant challenges.<sup>18</sup>

Out of the 14 lakhs of claims filed, approximately 10 lakhs and 30 thousand were accepted, while 3.5 lakhs were rejected due to a lack of supporting evidence from the *Jamabandis*<sup>19</sup> received from India. The accepted claims accounted for a total area of 83,25,380 acres, averaging 8.5 acres per claim. In contrast, non-agreed areas saw 40,456 claims for agricultural land, with a verified and accepted area of 32,43,261 acres, resulting in an average of 80.2 acres per claimant. This stark contrast highlighted the significant disparity between refugees from agreed and non-agreed areas.<sup>20</sup>

The government officials were alarmed by the substantial influx of fraudulent claims submitted by refugees. This issue was deliberated in Ayub Khan's federal cabinet, recognizing the challenge of outright rejection due to the established claims process. Qudratullah Shahab, in his renowned work "Shahab-Nama," shed light on the credibility of these claims. When he assumed the role of Director of Industries in Pakistan, the government introduced a policy to allocate factories, cinema houses, and educational institutions to individuals with similar pre-partition properties or businesses in India. This policy announcement triggered a surge of claims, with individuals asserting ownership of properties across a vast geographical span from Amritsar to Delhi, all supposedly owned by Muslims. Refugees even traveled to India to acquire these fraudulent claims from the Custodian and subsequently submitted them to Pakistani authorities.<sup>21</sup> Among the peculiar claims, one applicant sought evacuee property compensation for the Laal-Qila while attempting to establish a family connection with the last Mughal dynasty.<sup>22</sup> Another claimant filed for compensation for his pet lion left behind in India. Furthermore, Lieutenant General K.M. Sheikh, the Rehabilitation Minister in Ayub Khan's government, was astonished to uncover 537 cases of claims where individuals laid claim to more than one village.<sup>23</sup>



The situation obviously was worst and the martial law authority desired to penalize all persons who filed these bogus claims. But the ministry and officials felt helpless unless the State had better plan for action.<sup>25</sup> It had also been observed that State was also reluctant to call all claims as bogus because all such claims had been verified by the government officials. Declaring such claims as illegal could be resulted in the start of another debate with regard to refugees settlement and could defame the government's credibility.<sup>26</sup>

The Federal Cabinet of Pakistan made the strategic decision to appoint a Supreme Court judge to oversee the claims matter. The designated judge's role encompassed the verification of records received from India and the assessment of their relevance in relation to the claims.<sup>27</sup> Furthermore, the Cabinet instructed officials to procure all relevant jamabandis for non-agreed areas from the Indian government. The committee subsequently compiled a report regarding the verification process for non-agreed areas, the details of which were presented below.

1. The verification of claims would be done by the revenue officers who were involved in the case of agreed areas, with the help of special officer and Central Record Room. They had done 14 lacs verification in case of agreed areas and then they had received only 43,000 from non-agreed areas for same practices.
2. This verification of claims would involve further man-power and time which would be 6 to 12 month for this practice.
3. The Jamabandis for non-agreed areas should demand to the Indian state that district-wise information should be provided.
4. We need translator for the verification of record that is written in Hindi language.

5. The committee has decided that majority of claims filed for compensation are bogus but they have received their share after verification certification from the authorized officials. So we should not make any penalty to them rather another warning should be given to them for withdrawal or modification of any claims.<sup>28</sup>

All suggestions were made in one order by the authority under the Martial Law Regulation (MRL) No, 49 and 89 for implementation. New staff was hired to speed up the documentation and last chance was given to the refugees to file their true claims otherwise their previous allotment could be cancelled. In that case, Refugees would not have any right to go against any decision of allotment in the courts. No court or any other authority would be able to take up the case or could not give its judgments against the decision.<sup>29</sup> This decision caused serious injury to the refugees whose rights had been overlooked and also enhanced the chance of corruption among the government officials.

### **C. The States' Strategy for Settlement of Refugees**

The state adopted distinct mechanisms for the management of agricultural and urban evacuee properties. These policies transcended mere administrative directives, assuming the role of pivotal instruments in mitigating the intricate array of challenges posed by the refugee situation. On one hand, the state formulated comprehensive strategies for the allocation of agricultural lands to displaced individuals, with the overarching objectives of revitalizing rural economies and facilitating a fresh start for the affected populace. In contrast, the state encountered substantial criticism for instituting a progressively tiered system for evaluating refugees' claims, particularly those originating from non-agreed-upon regions. Conversely, the administration of urban evacuee properties, the state adopted a multifaceted approach, wherein it proffered monetary compensation to individuals displaced from urban areas in exchange for the relinquishment of their urban assets.

The provision of cash compensation to refugees, coupled with the economic pressures exerted by the state, enabled local residents to acquire evacuee properties. This shift in policy had a profound impact on the refugee community, as a significant number of evacuee properties were subsequently allocated to local residents, compelling refugees to reside in makeshift dwellings or open-air accommodations. state initiatives aimed at accommodating refugees and developing policies to minimize their

suffering are commendable actions, but they also seem to imply a lack of intellectual rigor or strategic thinking in the process. While the state's proactive stance is appreciated, it's essential to ensure that these initiatives are well-researched, comprehensive, and sustainable in the long term. Addressing refugee issues requires a delicate balance between humanitarian concerns, economic stability, and national security. Therefore, it is crucial for state actors to engage with experts, consider diverse perspectives, and implement policies that not only provide immediate relief to refugees but also contribute to their long-term integration

### **a. Scheme for Agricultural Land**

While developing its agricultural scheme, the state categorized refugees into three distinct regional areas, a structure reflecting an astute policy formulation. The first category encompassed individuals originating from the agreed-areas, accorded the highest priority in terms of assistance and support. As of September 1961, a remarkable 1,399,486 out of a total of 1,400,213 agricultural lands claims had been conclusively resolved, encompassing a substantial land area of 66,03,076 acres.<sup>30</sup> The second category comprised those who hailed from non-agreed areas, necessitating a unique set of policies and procedures for claim submissions and resolution. Their claims depended on Jamabandis obtained from India as a primary point of reference<sup>31</sup> with verification hinging on documentary or evidentiary support presented by the claimants. The third category included refugees originating from regions (Jammu and Kashmir, Hyderabad, Junagadh, Manavadar, Mangrol Sardangarh, Bantva, and Sultanabad) forcefully annexed with India, intriguingly treated as if they were agreed-area refugees despite their origins in non-agreed areas. This intricate categorization and policy differentiation underscored the state's academic rigor and nuanced approach to refugee management. Notably, this system was retroactively applied to pre-existing entitlements. To formalize these proceedings, Martial Law Regulation No. 89 was promulgated on September 1, 1961, outlining the particulars of the slab system as follows:<sup>32</sup>

**Table 1: The Allotment of Agricultural land to People from Non Agreed Areas**

Entitlement up to 1,500 Produce Full entitlement Index Units.	0% cut
Entitlement from 1,501 to 3,000 P. I.U.	70% cut.
Entitlement from 3,001 to 4,000 P.I.U.	80% cut.
Entitlement exceeding 4,001 P. I. U	90% cut.

Source: Ministry of Rehabilitation and Work, Summery of Cabinet on, File, 197-CF-62, NDW, Islamabad.

Under this regulation, the land already allocated to these refugees was subject to reduction, and any surplus land beyond the reduced entitlement had to be relinquished to the government. However, claimants were afforded the option to purchase the excess land rather than surrendering it.<sup>33</sup>The purchase price was being allowed to be paid in installments. The installments period would be 3 years to 5 years.<sup>34</sup>As the following comparative table shows the refugees from the rest of India were subjected to unnecessary invidious distinctions<sup>35</sup>:

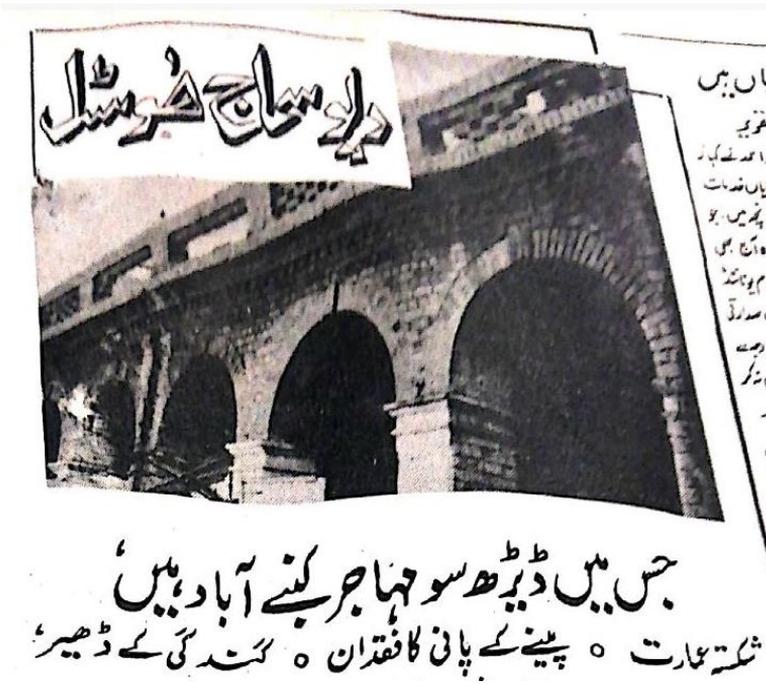
**Table 2: A Comparative Table of Agreed and Non-Agreed areas and Distinctions between them**

<b>Refugees from East Punjab</b>	<b>Refugees from rest of India</b>
Claims limit for full satisfaction was 2000	Claims limit for compensation was 15,00
Ad hoc Cut was only 50% to large claims	Maximum cut was 90% above from 4,000
Rs 8, for one Unit for Extra entitlement	Rs, 10 for one Unit for Extra entitlement
Interest on defaulter installment was 4%	Interest on defaulter installment was 6%
Period of payment, Yearly	Half Yearly
Penal Installment on defaulter installment was 0 %	Penal Installment on defaulter installment was 3

Source: Ministry of Finance, Case of Displace Person-Repeal of Old Martial Law Regulation, 84 and 89, File, No, 403-CF-70, NDW, Islamabad

The most hurting of the invidious distinctions was that, the claims from the two types of refugees had been invited under the law and respective procedures for their verification were prescribed, the veracity of the claims of the refugees from the rest of India was called in question even beyond the requirements of law. There would have been justification for doubting the integrity of a large number of people coming from different places.<sup>36</sup> But invidious distinction among refugees were the direct attacked on their self-esteem. A representative class of refugees was agitating in West Pakistan and demanding final settlement and asked government to end the invidious discrimination among refugees' groups. The government called the Ministry of Law and Ministry of Rehabilitation and Work to submit their suggestions to end ongoing claims matter in a realistic manner.<sup>37</sup> The Ministries suggested government to stay with current policy as it only hammered the big claimants only. Any change in policy would benefit only big claimants. The state's stance had a predictable consequence: a profound agitation among the affected parties. However, this agitation remained largely subdued, primarily due to the stringent enforcement of MLRs 84 and 89.<sup>38</sup>

The aforementioned policy revealed notable deficiencies and implementation challenges. Its primary aim was to generate significant revenue, facilitating local individuals' acquisition of coveted evacuee properties. Regrettably, during this process, officials often overlooked a substantial number of pending claims in favor of prioritizing cash-based allotments to local individuals.<sup>39</sup> The government had intended to allocate this sum of money for the purpose of providing monetary compensation to the remaining refugees whose claims had not been addressed under any previous allocation. The legislation enacted in 1958 prohibited the prioritization of refugees over individuals residing in the local community with regards to the sale of evacuee property.<sup>40</sup> Rana Abdul Hamid, the provincial minister of rehabilitation, had organized a meeting in Lahore to analyze the ongoing programs for accomplishing this objective. Locals requested permission to acquire evacuee property in Lahore during that conference. This was then accumulated in government policy under the term of non-claimant's refugees and locals' participation in evacuee property in 1961.<sup>41</sup> In contrast, refugees received little attention in terms of rehabilitation and basic services. The majority of families were still living in packed evacuee properties abandoned by Sikhs and Hindus in Punjab, awaiting final distribution. A photograph of "Deo Samaj Hotal" at Sunat Nager was shared by one of the newspapers. That specific hotel housed 150 immigrant families in a single building with no basic amenities.



Although, the primary objective of the rehabilitation policy, as stated, was to generate substantial revenue through the allocation of evacuee properties to local individuals. This revenue-generation focus raises questions about the government's priorities during a time of significant refugee displacement. While generating revenue is undoubtedly important for revenue generation over the unresolved claims. The prioritization of local individuals over the interests of refugees had prompted scrutiny of the policy framework's ability to ensure the preservation of justice, equity, and accountability, particularly in matters concerning the rights and livelihoods of displaced persons.

### b. Cash Compensation against Urban Property

The increasing demand on the government and the prolonged delay in resolving the matter concerning urban evacuee property necessitated the development of a comprehensive approach to provide appropriate monetary compensation to disadvantaged refugees in exchange for their urban properties. Approximately 650 million urban claims were filed in West Pakistan, with an estimated total collection of around 660 million from rent, sale, and mortgaged properties belonging to evacuees.<sup>42</sup> The government officials finally initiated a policy to condense the social affliction of

refugees who paid a highest cost for Pakistan. The disposal of evacuee properties in Pakistan and adjustment of transfer price of such properties against the claims of displaced persons, the Settlement Organization undertook Schemes for the payment of cash compensation to the claimants to whom no property had been transferred and who were unable to utilize their claim in any other manner.

The first major scheme for payment of cash compensation was inaugurated in 1960. Applications were invited from all the claimants who had been settled down in East Pakistan.<sup>43</sup> There was hardly any possibility of their coming over to West Pakistan for evacuee properties and it was decided to settle all their claims in full in cash basis. After that, applications were invited for compensation schemes particularly for the orphans and old persons whose claims did not exceed 5,000.<sup>44</sup> The amount of 6.9 crores was transferred to the claimants in first stage and president of Pakistan Ayub Khan also suggested that the Finance Ministry should keep in mind that this amount would not cause inflation in state. The Chief Settlement Commissioner was requested to prepare a scheme for payment of cash compensation through such interest-hearing bonds to avoid inflation in country.<sup>45</sup> The initiation of the second phase of compensation occurred during the fiscal year 1961–1962, when monetary compensation was provided to claimants whose claims did not exceed Rs. 15000. This phase played a significant role in compelling the government to disburse a substantial sum of money, amounting to 11–12 crores, to the claimants.<sup>46</sup> Ayub Khan's government transferred 25 crores to the refugees against their claims till the period of 1966. Meanwhile, government also initiated a sale and purchase policy of urban evacuee property. The claim holder could also purchase the desired property after paying the difference of his claim against his property in India.<sup>47</sup>

The ministry had also noted that certain urban properties were sold at a significantly reduced price, resulting in substantial financial losses for the government. Certain cases were also brought to attention in cabinet files, wherein the custodian received a portion of the proceeds after transferring evacuee property to another individual.<sup>48</sup> The following statistics table presents data on the allocation of evacuee property to claimants in urban areas until 1962 through the issuance of Provincial Transfer Orders (PTO).

**Table 3: Disposal of Evacuee Properties till May, 1964<sup>49</sup>**

Name of Property	Total	No, disposed of	Balance
House	3,07,896	2,94,324	13,572
Shops	1,26,976	1,18,53	8,446
Building Sites	72,037	50,516	21,521
Small Industries	3,020	2,780	240
Big Industries and Cinemas	849	843	6
Total	5,10,778	4,66,99,3	43,485

**Source:** Ministry of Industries and Rehabilitation and Works, File, No, 616-CF-62, NDW, Islamabad

The initiation of the third phase of the compensation policy was undertaken with the objective of resolving all outstanding cases. However, there was a temporary interruption in government operations due to the lack of sufficient funds in the government's account. During the fiscal years 1963–64 and 1964–65, the Finance Ministry disbursed a total of Rs 3 crore and Rs 4 crore, respectively. The aforementioned sum was intended to provide financial restitution to the remaining individuals seeking refuge. The government has implemented measures to expedite the rehabilitation efforts aimed at resolving the claims pertaining to 49,000 units of evacuee property. A policy amendment has been implemented by the federal government, wherein they are prepared to address the highest compensation claim exceeding Rs 50,000 by allocating valuable property to refugees, regardless of whether they have already been allotted property or not.<sup>50</sup> The government's request for refugees to submit their claims marked the final opportunity for them to do so, as the government subsequently declined to extend the submission deadline. Following the partition of East Pakistan in 1971, the Bhutto administration ceased the operations of the Ministry of Rehabilitation and discontinued the acceptance of new claims. However, in the past, instances of conflicts and unresolved claims were permitted to be resolved following the conclusive rulings of the courts and relevant governing bodies.

Therefore, the government had implemented numerous initiatives aimed at facilitating the physical resettlement of individuals. Additionally, various projects had been initiated in different locations to support both those who have been successfully allocated housing and those who continue

to rely on state sponsorship. In addition to the aforementioned policy of providing cash compensation for verified claims, the agricultural land allotment scheme also fell short in its commitment to effectively rehabilitate the remaining refugees. When examining the actual implementation of the Ayub government's policy at the local level, it became clear that the claims made about the integrity, effectiveness, and honesty of its administrative apparatus were only partially true.

#### **D. Refugees' Grievances on State Policy**

The discontent within the refugee community regarding Ayub Khan's policy on rehabilitation and settlement was exacerbated by several key challenges. Firstly, a sudden shift in the documentation policy for submitting claims led to not only delays in processing claims but also imposed restrictions on various sale and purchase activities among refugees. This alteration created a significant disruption in the community's daily life and financial affairs.<sup>51</sup> Furthermore, the implementation of new procedures and the adoption of an official policy inadvertently facilitated corrupt practices within local administrative bodies, with many officials collecting bribes from refugees. This institutional corruption not only disrupted the policy's intended outcomes but also allowed other illicit actors to emerge and take advantage of vulnerable refugees.<sup>52</sup>

In Lahore, a group of counterfeit government officials came to light, subsequently apprehended by security agencies. These individuals exploited economically disadvantaged refugees by falsely promising them permanent property allotments, demanding significant sums of currency in return.<sup>53</sup> While these officials were caught and their fraudulent activities curtailed, the incident shed light on a wider pattern of mistreatment and manipulation of impoverished refugees by government officials in the allocation of evacuee property. Similar cases emerged in other regions, such as Jhang and Lyallpur, where individuals possessed counterfeit government claim books valued at an estimated Rs. 2 crore.<sup>54</sup> It was discovered that certain clerks within the revenue department of Pakistan facilitated the production of these counterfeit documents and clearance books, further highlighting the pervasive nature of corruption within the system.

However, the issue of corruption was not confined to lower-ranking officials. Rumors circulated regarding nepotism and potential exploitation of positions by some prominent members of President Ayub's family.<sup>55</sup> This

raised concerns about the integrity of the regime and had a direct impact on policy outcomes. As a result, only a limited number of cases were filed in civil courts, with just 298 cases related to movable property and bank accounts filed in 1959, along with 114 agricultural cases in 1960. Notably, the prevalence of such cases was particularly high in Lahore, surpassing other cities in Punjab.<sup>56</sup>In many instances, although paper allotments were made by custodians and officials, actual possession of land remained unrealized. This situation was exacerbated by the reluctance of the federal and provincial governments to accommodate refugees in some cases, further illustrating the complex challenges faced in the implementation of refugee policies.<sup>57</sup>

## **Conclusion**

In conclusion, the Ayub Khan era represented a pivotal period in Pakistan's efforts to rehabilitate and settle refugees. The government demonstrated a commendable commitment to rapidly accommodating a substantial population of displaced individuals, embodying a constructive approach to addressing the refugee crisis and providing crucial aid to those in dire need. The establishment of numerous satellite towns in Punjab and the comprehensive resettlement plan underscored the state's dedication to the welfare of refugees. Furthermore, rigorous measures were taken to combat illegal occupation of vacated properties in Punjab, yielding both substantial revenue and a demonstration of state authority, resolutely directed towards resolving resettlement challenges. Ayub Khan's effective disbursement of financial assistance to refugees, amounting to 25 crores during his tenure, marked a significant turning point in the history of refugee rehabilitation and settlement.

However, it is imperative to acknowledge that the state's policy introduced a noteworthy differentiation between refugees originating from "agreed" and "non-agreed" areas. This policy disparity, particularly concerning claims, limits, and maximum compensations for non-agreed area refugees, engendered a profound sense of injustice and resentment within the refugee community. It implied that their treatment was contingent upon factors beyond their control, such as their geographic origin. Moreover, this disparity was exacerbated in cash compensation transactions, further marginalizing non-agreed area refugees. The repercussions of this flawed policy were extensive, leaving displaced individuals and families, already burdened by the trauma of displacement, with limited avenues for resettlement and reconstruction of their lives. The

curtailed entitlements perpetuated their limited access to land, thereby perpetuating cycles of poverty and deprivation. Additionally, the policy's opacity and lack of accountability paved the way for corruption and exploitation, as influential individuals and groups exploited the flawed system for personal gain, leaving genuine refugees at a significant disadvantage.

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<sup>3</sup> Ian, Talbot, *Divided Cities, Partition and its Aftermath in Lahore and Amritsar, 1947-1957* (Karachi, 2006, OUP), Ansari, Sarah, and William Gould, *Boundaries of belonging: Localities, citizenship and rights in India and Pakistan* (Cambridge University Press, 2019).

<sup>4</sup>VaziraFazila-YacoobaliZamindar, *The Long Partition and the Making of Modern South Asia: Refugees, Boundaries, Histories* (New York: Columbia University Press, 2007).

<sup>5</sup> Ministry of Finance, Case of Displaced Person-Repeal of Old Martial Law Regulation, 84, 89, File, No, 403-CF-70, National Document Wing (NDW), Islamabad.

<sup>6</sup> The Ministry of Relief and Rehabilitation, Refugees problem in Pakistan, a report prepared by United Nation, File, No, 768-CF-69, NDW, Islamabad.

<sup>7</sup> Summary of the Governors’ Conference on subject of Rehabilitation of homeless People and Provision of better housing facilities’, File, No, 60-CF-65, NDW, Islamabad.

<sup>8</sup>Ministry of Rehabilitation and Works, Summary presented to the Cabinet on Evacuee Property, File, 188-CF-60, (NDW), Islamabad.

<sup>9</sup> Ministry of Refugee and settlement later on turned into Ministry of Rehabilitation and Works in Ayub Khan Government.

<sup>10</sup>Ministry of Rehabilitation and Works, Amendment of Displaced persons (Land Settlement) Act, 1958, File, 472-CF-64, National Document Wing (NDW), Islamabad.

<sup>11</sup> Tahir Khan, “Refugee Sufferings: The Role of the Custodian, Civil Bureaucracy, and Litigation in the Punjab”, *Pakistan Perspectives*, Vol. 27, No.1, (January-June 2022), 42-43.

<sup>12</sup> Ibid.

<sup>13</sup>Ministry of Rehabilitation and Works, Amendment of Displaced persons (Land Settlement) Act, 1958, File, 475-CF-65, National Document Wing (NDW), Islamabad.

<sup>14</sup> Ibid.

<sup>15</sup>Ministry of Rehabilitation and Works, Summery of Cabinet on Evacuee Property, File, 188-CF-60, National Document Wing (NDW), Islamabad.

<sup>16</sup>Ministry of Rehabilitation and Works, Half year Summery for the Period of Dec, 1961, File, 197-CF-61, NDW, Islamabad.

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- <sup>17</sup> Syed Ali Raza, *HamaraZamane (Autobiography)*, Vol, 2(Karachi: PECH society, 1999), 144-146.
- <sup>18</sup> Ministry of Rehabilitation and Works, Summary of Cabinet on Evacuee Property, File, 188-CF-60, National Document Wing (NDW), Islamabad.
- <sup>19</sup> Detailed of someone property in village.
- <sup>20</sup> Ministry of Finance, Case of Displace Person-Repeal of Old Martial Law Regulation, 84, 89, File, No, 403-CF-70, NDW, Islamabad.
- <sup>21</sup> Qudratullah Shahab, *Shahab-Nama*(Sang-gay-Meel, 1997, Lahore), 427.
- <sup>22</sup> Ibid, 428-29.
- <sup>23</sup> Ministry of Rehabilitation and Works, verification of Agricultural lands Cases, File, No, 378-CF-61, NDW, Islamabad.
- <sup>24</sup> *Weekly Nusrat* (Urdu Newspaper), 5th July 1959, Lahore. This cartoon depicted how corruption was done in evacuee property claims.
- <sup>25</sup> File, 188-CF-60, NDW, Islamabad.
- <sup>26</sup> File, No, 378-CF-61, NDW. Islamabad.
- <sup>27</sup> Ibid.
- <sup>28</sup> File, No, 378-CF-61, NDW. Islamabad
- <sup>29</sup> Ibid.
- <sup>30</sup> Ministry of Rehabilitation and Works, Summary of Cabinet on, File, 197-CF-62, NDW, Islamabad.
- <sup>31</sup> Ibid.
- <sup>32</sup> Ministry of Rehabilitation and Work, Summary of Cabinet on, File, 197-CF-62, NDW, Islamabad.
- <sup>33</sup> The government received a sum of Rs. 6 crore from individuals who were identified as claimants of non-agreed areas and were discovered to be in possession of land exceeding their allocated entitlement as stipulated in the MLRs 84 and 89, The acquisition of the land was authorized by the State.
- <sup>34</sup> File, No, 417-CF-63, NDW, Islamabad.
- <sup>35</sup> Ministry of Finance, Case of Displace Person-Repeal of Old Martial Law Regulation, 84,89, File, No, 403-CF-70, NDW, Islamabad
- <sup>36</sup> Syed Ali Raza, *HamaraZamane*, 175.
- <sup>37</sup> Ibid.
- <sup>38</sup> Ministry of Finance, Case of Displace Person-Repeal of Old Martial Law Regulation, 84, 89, File, No, 403-CF-70, NDW, Islamabad.
- <sup>39</sup> *Daily Mashriq Newspaper* 30-11-1963
- <sup>40</sup> Ibid.
- <sup>41</sup> *Daily Mashriq Newspaper* 30-11-1963.
- <sup>42</sup> Ministry of Rehabilitation and Works Division, Cash Compensation Against the Verified Claims of Urban Property File No 596 CF\_59 NDC, Islamabad.

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<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> Payment to East Pakistan Refugees in Cash was 1.74 Crores and Payment to West Pakistan Orphans and Old aged person Refugees in Cash was around 1.72 Crores.

<sup>46</sup> Ibid.

<sup>47</sup> All evacuee property that was worth more than 50,000 would be sale but through auction on general public.

<sup>48</sup> Ministry of Refugee and Kashmir Issue, File No.66 CF 1964 IV, NDC, Islamabad.

<sup>49</sup> Ministry of Industries and Rehabilitation and Works, File, No, 616-CF-62, NDW, Islamabad.

<sup>50</sup> Ministry of Industries and Rehabilitation and Works, File, No, 60-CF-65, NDW, Islamabad.

<sup>51</sup> Ministry of Refugee and Rehabilitation Meeting, 15 April, 1951, File, No, 23-CF-51, NDC, Islamabad. *This Ministry issued a notification that cancelled the past notification of sale and purchase of evacuee property on individual basis due to uncertainty between India-Pakistan talks on above issue.*

<sup>52</sup> Ilhan Niaz, "Corruption and the Bureaucratic Elite in Pakistan: The 1960s and 1970s Revisited", *Journal of the Royal Asiatic Society*, Volume 23, Issue, 4 (2013), 97-113

<sup>53</sup> , *Nawa-e-Waqat*, 20-October, 1958.

<sup>54</sup> *Imroze*, 10-10-1963.

<sup>55</sup> Roedad Khan, *The British Papers, Secret and Confidential India, Pakistan, Bangladesh Documents 1958-1969* (Oxford University Press, 1999), 166.

<sup>56</sup> *Nawa-e-Waqat*, 20-October, 1958.

<sup>57</sup> Cabinet Meeting, Six monthly Report of the Refugee and Rehabilitation Ministry, 30 Sep, 1953 13 June, 1950, File, No, 245-CF-52, NDW, Islamabad.