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PROVINCIAL ASSEMBLY OF THE PUNJAB

NOTIFICATION

11 February 2012

No.PAP/Legis-2(74)/2011/518. The Administrator General's (Amendment) Bill 2011, originally passed by the Provincial Assembly of the Punjab on the 22nd day of December 2011, was sent to the Governor of the Punjab for assent. The Governor returned the Bill for reconsideration by the Assembly. The Provincial Assembly of the Punjab, after reconsideration, again passed the Bill on the 25th day of January 2012. The Bill was again sent to the Governor for assent on the 27th day of January 2012. Since the Governor has not assented to the Bill within the stipulated period of ten days, the same is deemed to have been assented to in terms of clause (3) of Article 116 of the Constitution, and is published as an Act of the Provincial Assembly of the Punjab.

THE ADMINISTRATOR GENERAL'S (AMENDMENT) ACT 2012

ACT V OF 2012

[First published in the Gazette of the Punjab (Extraordinary) on the 11th day of February 2012, after the assent is deemed to have been given in terms of Article 116(3) of the Constitution]

An
Act

further to amend the Administrator General's Act, 1913.

Preamble.– Whereas it is expedient further to amend the Administrator General's Act, 1913 (III of 1913), for the purposes hereinafter appearing;

It is enacted as follows:-

1. Short title and commencement.– (1) This Act may be cited as the Administrator General's (Amendment) Act 2012.

(2) It shall come into force at once.

2. Amendment in section 1 of Act III of 1913.– In the Administrator General's Act 1913 (III of 1913), hereinafter referred to as the said Act, in section 1, for sub-section (2), the following shall be substituted:-

"(2) It extends to whole of the Punjab."

3. **Amendments in section 2 of Act III of 1913.**– In the said Act, in section 2–
   (a) in clause (2), the word "Pakistani" shall be omitted;
   (b) for clause (3), the following shall be substituted:-
   "(3) "Government" means the Government of the Punjab."; and
   (c) clause (4) shall be omitted.

4. **Amendments in section 3 of Act III of 1913.**– In the said Act, in section 3–
   (a) in the marginal heading, the word "Administrators" shall be substituted with the word "Administrator".
   (b) for sub-section (1), the following shall be substituted:-
   "(1) The Government shall appoint an Administrator General."; and
   (c) in sub-section (2), for the words "a High Court", the words "the High Court" shall be substituted.

5. **Amendment in section 5 of Act III of 1913.**– In the said Act, in section 5, the words "of the Province for which he is appointed" shall be omitted.

6. **Amendment in sections 7 and 8 of Act III of 1913.**– In the said Act, in sections 7 and 8, the words "of the Province" shall be omitted.

7. **Substitution of section 9 of Act III of 1913.**– In the said Act, for section 9, the following shall be substituted:-

   "**9. When Administrator General is to administer estates of persons other than exempted persons.**– If any person, not being an exempted person, has died leaving within the Province assets exceeding the value of one hundred thousand rupees and if no person to whom any Court would have jurisdiction to commit administration of such assets has, within one month after his death, applied in the Province for probate of his will, or for letters of administration of his estate, the Administrator General shall, subject to any rules made by the Government, within a reasonable time after he has had notice of the death of such person, and of his having left such assets, take such proceedings as may be necessary to obtain from the High Court letters of administration of the estate of such person."

8. **Amendments in sections 10 and 11 of Act III of 1913.**– In the said Act, in sections 10 and 11, for the words "a High Court", the words "the High Court" shall be substituted.

9. **Amendment in section 18 of Act III of 1913.**– In the said Act, in section 18, in the proviso, for the word "Division", the word "Province" shall be substituted.

10. **Amendments in section 24 of Act III of 1913.**– In the said Act, in section 24–
   (a) the words "of any Province" shall be omitted; and
   (b) for the words "such Province", the words "the Province" shall be substituted.

11. **Amendment in section 25 of Act III of 1913.**– In the said Act, in section 25, the words "of the Province in which any of the assets of the estate" shall be omitted.

12. **Amendment in section 28 of Act III of 1913.**– In the said Act, in section 28, the words "of the Division" shall be omitted.

13. **Substitution of section 31 of Act III of 1913.**– In the said Act, for section 31, the following shall be substituted:-

   "**31. In what case Administrator General may grant certificate.**– Whenever any person has died leaving assets within the Province, and the Administrator General is satisfied that such assets, excluding any sum of money deposited in a Government Savings Bank, or in any Provident Fund to which the provisions of the Provident Funds Act, 1925 (XIX of 1925) apply, did not at the date of death exceed in the

3. **Amendments in section 2 of Act III of 1913.**– In the said Act, in section 2–
   (a) in clause (2), the word "Pakistani" shall be omitted;
   (b) for clause (3), the following shall be substituted:-
   "(3) "Government" means the Government of the Punjab."; and
   (c) clause (4) shall be omitted.

4. **Amendments in section 3 of Act III of 1913.**– In the said Act, in section 3–
   (a) in the marginal heading, the word "Administrators" shall be substituted with the word "Administrator".
   (b) for sub-section (1), the following shall be substituted:-
   "(1) The Government shall appoint an Administrator General."; and
   (c) in sub-section (2), for the words "a High Court", the words "the High Court" shall be substituted.

5. **Amendment in section 5 of Act III of 1913.**– In the said Act, in section 5, the words "of the Province for which he is appointed" shall be omitted.

6. **Amendment in sections 7 and 8 of Act III of 1913.**– In the said Act, in sections 7 and 8, the words "of the Province" shall be omitted.

7. **Substitution of section 9 of Act III of 1913.**– In the said Act, for section 9, the following shall be substituted:-
   "9. **When Administrator General is to administer estates of persons other than exempted persons.**– If any person, not being an exempted person, has died leaving within the Province assets exceeding the value of one hundred thousand rupees and if no person to whom any Court would have jurisdiction to commit administration of such assets has, within one month after his death, applied in the Province for probate of his will, or for letters of administration of his estate, the Administrator General shall, subject to any rules made by the Government, within a reasonable time after he has had notice of the death of such person, and of his having left such assets, take such proceedings as may be necessary to obtain from the High Court letters of administration of the estate of such person."

8. **Amendments in sections 10 and 11 of Act III of 1913.**– In the said Act, in sections 10 and 11, for the words "a High Court", the words "the High Court" shall be substituted.

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10. **Amendments in section 24 of Act III of 1913.**– In the said Act, in section 24–
   (a) the words "of any Province" shall be omitted; and
   (b) for the words "such Province", the words "the Province" shall be substituted.

11. **Amendment in section 25 of Act III of 1913.**– In the said Act, in section 25, the words "of the Province in which any of the assets of the estate" shall be omitted.

12. **Amendment in section 28 of Act III of 1913.**– In the said Act, in section 28, the words "of the Division" shall be omitted.

13. **Substitution of section 31 of Act III of 1913.**– In the said Act, for section 31, the following shall be substituted:-
   "31. **In what case Administrator General may grant certificate.**– Whenever any person has died leaving assets within the Province, and the Administrator General is satisfied that such assets, excluding any sum of money deposited in a Government Savings Bank, or in any Provident Fund to which the provisions of the Provident Funds Act, 1925 (XIX of 1925) apply, did not at the date of death exceed in the whole one hundred thousand rupees in value, he may, after the lapse of one month

from the death if he thinks fit, or before the lapse of the said month if he is requested so to do by writing under the hand of the executor or the widow or other person entitled to administer the estate of the deceased, grant to any person, claiming otherwise than as a creditor to be interested in such assets, or in the due

administration thereof, a certificate under his hand entitling the claimant to receive the assets therein mentioned left by the deceased, within the Province to a value not exceeding in the whole one hundred thousand rupees:

Provided that no certificate shall be granted under this section–

(i) where probate of the deceased's will or letters of administration of his estate has or have been granted; or

(ii) in respect of any sum of money deposited in a Government Savings Bank or in any Provident Fund to which the provisions of the Provident Funds Act, 1925 (XIX of 1925), apply."

14. Amendment in section 37 of Act III of 1913.– In the said Act, in section 37, for the words "ten thousand rupees", the words "one hundred thousand rupees" shall be substituted.

15. Amendments in section 38 of Act III of 1913.– In the said Act, in section 38–

(a) for the words "any Province", the words "the Province" shall be substituted; and

(b) for the words "any such Province", the words "the Province" shall be substituted.

16. Amendment in section 54 of Act III of 1913.– In the said Act, in section 54, the words "of the Division" shall be omitted.

17. Amendment in section 55 of Act III of 1913.– In the said Act, in section 55, for the words "Companies Act 1913 (VII of 1913)", the words "Companies Ordinance 1984 (XLVII of 1984)" shall be substituted.

18. Amendments in section 57 of Act III of 1913.– In the said Act, in section 57–

(a) the word "Federal", wherever occurs, shall be omitted; and

(b) for the word "Pakistan", occurring after the words "where a subject of foreign State dies in", the words "the Punjab" shall be substituted.

MAQSOOD AHMAD MALIK
Secretary