

AZAD JAMMU AND KASHMIR GOVERNMENT

Government Order No. 382/59 Dated 14-7-1959

In exercise of the powers conferred upon it under paragraph 5 of the Special Courts Emergency Powers Order, 1959, read with Azad Kashmir Emergency Powers Act, 1958, the Azad Jammu and Kashmir Government is pleased to transfer all original cases under the Azad Kashmir Emergency Powers Act, 1958, pending in the Ordinary Courts to various Special Courts as follows :-

Q) All original criminal cases under the Emergency Powers Act, 1958, involving offences of espionage against persons suspected to be enemy agents or recalcitrants are transferred from the Ordinary Courts to the Single Judge Special Court constituted for the purpose for the whole of Azad Kashmir Territory ;

(2) Cases other than those referred to in para I above pending in the Courts of Sessions Judges, Additional Sessions Judge are transferred to the Special Courts constituted for different districts. The Sessions Judges, Additional Sessions Judge will deal with these cases as Special Judges of Special Courts constituted for each district ;

(3) Cases other than those referred to in paragraph I and 2 above and pending in Courts other than courts of Sessions Judges/Additional Sessions Judge, are transferred to the Special Courts constituted for, each district ;

(4) Each Special Court shall commence proceedings from the stage reached in the Ordinary-Courts in each such cases ;

(5) The Sessions Judges/Additional Sessions Judge will arrange the forwarding of all such cases to the appropriate Special Courts for further proceedings :

(6) Future institutions of cases under the Azad Kashmir Emergency Powers Act shall be arranged by the prosecution staff accordingly.

Sd/-(Mohammad Yaqub)
Deputy Secretary General,
Azad Jammu and Kashmir Government.