

THE ABANDONED LAND MANAGEMENT ACT, 1949

(CABINET RESOLUTION NO. 311/49)

Whereas it is expedient to revise and consolidate the law relating to the management of lands or other immovable property left by non-Muslims in the Azad Jammu and Kashmir State, it is hereby enacted as follows :-

1. This Act may be called 'The Abandoned Lands Management Act of 1949', and it shall come into force forthwith.

2. In this Act: -

(i) 'Abandoned Land' shall mean land abandoned by non-Muslim in the liberated territory under the administration of the Azad Kashmir Government.

(ii) 'Abandoned Immovable Property' shall mean immovable property other than land and shall include houses, gardens, shops and buildings abandoned by non-Muslims in Azad Jammu and Kashmir Territory.

3. All leases for cultivation of abandoned land and management of other abandoned immovable property shall be granted on a cash rent to be fixed by the Deputy Commissioner of the District in which such property is situate on such terms and for such period as may be thought fit by him.

4. While fixing rent under section 3 the Deputy Commissioner shall keep in view the orders that may be issued by the Government from time to time with regard to the basis and other terms upon which such rent is to be fixed.

5. The Deputy Commissioner may, by general or special order authorise any officer to execute the purposes of this Act in the fixation or realisation of such rent.

6. (i) The Deputy Commissioner may, for sufficient cause, require any tenant or other person otherwise in possession of abandoned land or such other property, to vacate any such land or property and place it at his disposal.

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(ii) The Deputy Commissioner may, in the capacity of a District Magistrate, eject any person who refuses to vacate any such land or property and for this purpose he may make use of Civil or Military force if necessary.

All persons to whom leases are granted under this Act or who are otherwise in possession of abandoned land or other abandoned immovable property shall pay the rent so fixed to the Deputy Commissioner or other person or persons authorised by him in this behalf by a general or special order.

Whoever fails to comply with an order issued under section 6 (i) or the provisions of section 7 of this Act shall, on conviction before a first or second class Magistrate, be punished with rigorous imprisonment for a term which may extend to one year and fine which may extend to one thousand rupees.

All offences under this Act shall be cognisable and non-bailable.

All money payable to Government under this Act shall be realised as arrears of land revenue and shall be credited to Government Treasury.

This Act shall apply to all leases granted under the abandoned Lands Management Act of 1948 which shall be deemed to have amended to that extent.