

THE AZAD JAMMU & KASHMIR AGRICULTURAL CENSUS

ACT, 1960

(ACT I OF 1960)

(Passed under Government Order No, 147/60 dated 11-3-1960)

Whereas it is expedient to take agricultural census in the Azad

Jammu and Kashmir Territory and to provide for certain matters for that purpose, it is hereby enacted as follows :-

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Short title, extent and commencement:- (1) This Act may be called the Azad Jammu and Kashmir Agricultural Census Act, 1960.

(2) It extends to the whole of Azad Jammu and Kashmir Territory.

(3) It shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.

Definitions:- In this Act, unless there is anything repugnant in the subject or context :-

(a) 'Census' means agricultural census ;

(b) 'Census officer' means an officer appointed for the purpose of carrying out the provisions of this Act.

Census Officers:- (1) The Government may appoint :-

(i) a Census Commissioner to supervise the taking of the census throughout Azad Jammu and Kashmir Territory;

(ii) Joint Census Commissioner, Deputy Census Commissioners and Assistant Census Commissioners to supervise the taking of Census within the Azad Jammu and Kashmir Territory ;
and

(iii) other census officers to take, aid in or supervise the taking of the census within any specified area.

(2) The Government may, by order, delegate the powers

conferred upon it by clause (iii) of sub-section (1) to such officer

or authority, subordinate to the Government as may be specified

in the order

(3) A declaration in writing, signed by any authority authorised by the Government in this behalf, that a person has been duly appointed a census officer shall be conclusive proof of such appointment.

Collection of information for census:- (1) For the purpose of taking census, Information shall be collected on or with respect to the following matters, namely :-

- (a) land and ownership and land tenure;
- (b) land unit and sub division of land ;
- (c) land utilization ;
- (d) crop acreage and production;
- (e) livestock and poultry;
- (f) employment in agriculture;
- (g) agricultural population;
- (h) agricultural power and machinery ;
- (i) irrigation and drainage ;
- Gj) fertilizers and soil dressing ;
- (k) wood and fishery products ;
- (1) agricultural credit ;
- (m) agriculture and sericulture ;
- (n) fruit and vegetable products ; and
- (0) such other matters as the Government may, by notification in the Official Gazette, specify.

(2) For the purpose of collecting information referred to in sub-section (1), the Government may, by notification in the Official Gazette, prepare such questionnaire as it thinks fit and a census officer may require any person within his jurisdiction to give answer to such questionnaire and to such other questions relevant to the questionnaire as he may think fit to ask.

(3) Any person who is required to give answers to the questionnaire and other relevant questions under sub-section (2) shall be legally bound to give answers to the best of his knowledge or belief.

Crop-cutting experiment:- (1) For the purpose of collecting information referred to in sub-section (1) of section 4, crop-cutting experiments may be conducted, and for such experiments any land in any area may be selected.

(2) The owners or occupiers of Sand or their agents or servants shall allow such access to the census officers and other persons assisting them to their lands as may be necessary for the conduct of crop-cutting experiments.

(3) The owner or other person entitled to the crop shall be paid such compensation for any loss or damage caused to him by the conduct of crop-cutting experiments as the Government may prescribe.

Access to census officer to premises and lands:- Every person owning or occupying, any house, premises or lands shall allow the census officers such access thereto as they may require for the purposes of the census and shall allow them to paint on, affix to, or dig in the house, premises or lands such letters, marks or objects as may be necessary for the said purpose.

Penalties:- (a) Any census officer or any person lawfully required to give assistance towards the faking of a census who refuses or neglects to use reasonable diligence in performing any duty imposed upon him or in obeying any order issued to him in accordance with this Act or any rule made thereunder, or any person who hinders or obstructs another person in performing any such duty or in obeying any such order ; or

(b) any census officer who knowingly makes any false return or, without the previous sanction of the Government, discloses any information which, he has received by means of, or for the purposes of, a census return ; or

(c) any person, who intentionally gives a false answer or refuses to answer to, the best of his knowledge or belief to the questionnaire or other, relevant questions asked of him by a census officer which he is legally bound to answer ; or

(d) any person occupying any house, premises or land who refuses to allow a census officer such reasonable access thereto as he is required under Section 6 to allow ; or

(e) any person who removes, obliterated, alters or damages without proper authority or before the completion of the census any letters, marks or objects which have been painted, affixed or dug for the purposes of the census; shall be punishable with fine which may extend to five hundred rupees.

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Sanction for prosecution under this Act:- No prosecution under this Act shall be instituted except with the previous sanction of the Government or of any authority authorised in this behalf by the Government.

Prosecution under other laws:- Nothing in this Act shall be deemed to prevent any person from being prosecuted under any other law for any act or omission under the Act which constitutes an offence under such other law :

Provided that no such prosecution shall be instituted except with the previous sanction referred to in Section 8.

Jurisdiction:- No Court inferior to that of a Magistrate of the Second Class shall try an offence under this Act.

Census records not open to inspection:- No person shall have a right to inspect any book, register or record made by a census officer in the discharge of his duties as such and, notwithstanding anything to the contrary in the Evidence Act, 1872, no entry in any such book, register or record shall be admissible as evidence in any civil proceedings, whatsoever, or in any criminal proceedings, other than a prosecution under this Act or under any other law for any act or omission under this Act which constitutes an offence under such other law.

Preparation of statistical abstracts:- The Census Commissioner or any Joint Census Commissioner, Deputy Census Commissioner or such person as the Government may authorise in this behalf may, if he thinks fit, all the request and cost (to be determined by him) of any local authority or person, cause abstracts to be prepared and supplied containing any such statistical information as can be derived from the census returns being information which is not contained in any published report and which, in his opinion, it is reasonable for that authority or person to require.

Census officers to be public servants:- All Census officers shall be deemed to be public servants within the meaning of Section 21 of the Pakistan Penal Code, as applicable to Azad Jammu and Kashmir Territory.

Power to make rules:- The Government may make rules for

carrying out the purposes of this Act.