

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE AND PARLIAMENTARY AFFAIRS DEPARTMENT
MUZAFFARABAD

Dated the 24th March, 1996.

No. 236-43/LD/Leg/96. The following Act of the Assembly received the assent of the President on 20th March, 1996 is hereby published for general information:-

(ACT III OF 1996)

AN

ACT

to amend the Azad Jammu and Kashmir Electoral Rolls Ordinance, 1970

WHEREAS it is necessary to amend the Azad Jammu and Kashmir Electoral Rolls Ordinance, 1970 in the manner hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.-- (1) This Act may be called the Azad Jammu and Kashmir Electoral Rolls (Amendment) Act, 1996.

(2) It shall come into force at once.

2. Amendment of Section 10, Ordinance I of 1970.- In Azad

Jammu and Kashmir Electoral Rolls Ordinance, 1970 (Ordinance I of 1970), hereinafter referred to as the said Ordinance, in Section 10, for sub-sections (4), (5), (6) and (7) the following shall be substituted and shall be deemed to have been substituted with effect from 1st day of January, 1995:-

"(4) After making additions, modifications or corrections, if any, under sub-section (3), the Registration Officers shall publish in the prescribed manner the final electoral roll for each electoral area.

(5)(a) The Electoral Roll published under sub-section (4), upon issuance of its notification by the Commissioner, be deemed to be the Electoral Roll of the electoral area concerned and shall come into force immediately on such notification.

(b) The existing electoral roll for the time being in force shall continue to remain in force and operative until the notification by the Commissioner under clause (a) is issued.

(6) If the Commissioner, on account of any gross error or irregularity in the preparation of an electoral roll for any electoral area published under sub-section (4), considers it necessary so to do, he may by order direct that:-

qa) the electoral roll for that area be amended, revised or corrected in such manner as the Commissioner may deem

fit;

(ii) the electoral roll or draft for that area shall stand cancelled and that an electoral roll for such area be prepared afresh in accordance with the provision of the Ordinance or Rules made thereunder.

(7) An electoral roll shall be revised, amended or corrected in the prescribed manner, as and when necessary, so as:-

(i) (a) 'to correct any entry or supply any omission therein;
or

(b) to include the name of any qualified person whose name does not appear on such roll; or

(c) to delete therefrom the name of any person who has died or who is or has become disqualified for enrolment on such roll.

(ii) An electoral roll, as amended and corrected, from time to time, shall be maintained in the prescribed manner and shall, together with a notice inviting application for further amendment and correction, be kept open to public inspection, and copies of such rolls shall be supplied to any person applying therefore, on payment of such fee as may be prescribed."

Addition of Section 10-A, Ordinance I of 1970.-- In the said Ordinance after Section 10, the following new Section 10-A, shall be added:-

"10-A. Departure_ from normal_ procedure_ in_ exceptional circumstances.-- Where the Commissioner is satisfied that it is not

possible to follow the procedure laid down for the preparation, amendment, revision and correction of an electoral roll in respect of any electoral area, he may direct that an electoral roll for such electoral area shall be prepared in such manner as he deems fit."

Substitution of Section 13-A, Ordinance I of 1970.-- In the said Ordinance, for Section 13-A, the following shall be substituted, namely:-

"13-A. Preparation and revision of electoral rolls.—

qd) The Commissioner may, at any time, by order direct that an electoral roll of any electoral area, be prepared afresh or revised, if he, for any reason, considers such preparation or revision to be necessary.

(2) The procedure provided for the preparation of the electoral rolls shall, as far as may, be followed for the purpose of revision of such rolls."

Substitution of Section 15, Ordinance I of 1970.- In the said

Ordinance, for Section 15, the following shall be substituted,

namely:-

"15. Commissioner's power _to_include_a_name_in_ an electoral _roll.- The commissioner may, at any time, order:-

(a) _ the inclusion in an electoral roll of the name of any person entitled to be enrolled on such electoral rolls, and such name shall, from the date of such order, form part of the electoral roll;

(b) the exclusion from an electoral roll of the name of any person who has died or has become disqualified to be a voter, and such name shall, from the date of such order, stand excluded from that roll; and

(c) the removal of the name of any person from an electoral roll where such removal becomes necessary due to the repetition of the name in the same electoral roll or in the electoral rolls of more than one electoral area."

6. Repeal.-- The Azad Jammu and Kashmir Electoral Rolls

(Amendment) Ordinance, 1996 (Ordinance I of 1996) is hereby repealed.

Sd/-(Syed Atta Mohy-Ud-Din Quadri)
Draftsman Law