

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

Dated: 22nd December, 2011

No. LD/Legis/1078-88/ 2011. The following Act of Assembly received the assent of the President on 18th day of December, 2011, is hereby published for general information.

(ACT X OF 2011)

An

Act

further to amend the Azad Jammu and Kashmir Regularization of Nautors and Grant of Khalsa Land Ordinance, 1974.

WHEREAS, it is expedient to amend the Azad Jammu and Kashmir Regularization of Nautors and Grant of Khalsa Land. (Ordinance VI of 1974), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title, Extent and Commencement.- (1) This Act may be called the Azad Jammu and Kashmir Regularization of Nautors and Grant of Khalsa Land (Amendment) Act, 2011.

(2) It shall extend to the whole of Azad Jammu & Kashmir.

(3) It shall come into force at once and shall be deemed to have taken effect from 22.10.2011.

2. Amendment of Section 2, Ordinance VI of 1974.- In the Azad

Jammu and Kashmir Regularization of Nautors and Grant of Khalsa Land Ordinance, 1974 (Ordinance VI of 1974), hereinafter referred to as the said Ordinance, in Section 2 after Clause (x) new clauses (xi) and (xii) shall be added as under:-

(xi) "Public or Community purposes" means construction of Graveyards, Mosques, or establishment of Orphanage and institutions for free health and free educational facilities or the housing for refugees and landless persons.

(xii) | "Landless Persons" means a person;

(a) who does not have any land inherited or otherwise in Azad Jammu and Kashmir or Pakistan and who;

(i) has no adequate sources of income;

(ii) is head of family; and

(iii) is not in Government Service; or

(b) whose land has been fully affected during the earthquake 2005 or damaged due to the disaster or natural calamity and has no other land; or

(c) who is affected by the firing of Indian Forces or all his owned land is covered with mines around the LoC.

Amendment of Section 7, Ordinance VI of 1974.-In the said Ordinance, in Section 7, full stop at the end shall be substituted by a colon and thereafter the following proviso shall be added:-

“Provided that Government may dispense with the payment for special grant of Khalsa land made for Public or Community purposes.”

Addition of Section 8-A, Ordinance VI of 1974.-In the said Ordinance, after section 8, following new section 8-A shall be added namely:-

“8-A Ban on grant of Khalsa Land.-The Government may, if it deems expedient, impose ban on the grant of Khalsa Land under Section 7 or Section 8 of the said Ordinance, for any area or for whole of Azad Jammu and Kashmir for a period as may be specified in the notification to be published in the official gazette. The grant of Khalsa land if made during the continuance of such ban shall be void and carry no legal effect”.

Validation.-If any special grant of Khalsa land has been made before the commencement of this Ordinance for the purposes described herein above, shall always be deemed to have been made under the said Ordinance.

Repeal.-Azad Jammu and Kashmir Regularization of Nautors and Grant of Khalsa Land (Amendment) Ordinance, 2011 (Ordinance LIII of 2011) is hereby repealed.

Sd/-
(Sardar Rashid Kaleem)
Section Officer Law