

Copy of a letter No-A/8/923 dated 11th February, 1950 from the Ministry of Defence Azad Kashmir Government, to the Hon'ble Minister for Law and Order, Azad Kashmir Government, Muzaffarabad.

Following is the procedure according to Ministry Law regarding Indian Army Act which will remain in force till the present emergency is over.

The term 'Central Government' in Indian Army Act means Azad Kashmir Cabinet.

In view of the applicability of Indian Army Act to A.K.R.F. during the present emergency by the Azad Cabinet with some reservations as given in the Cabinet Resolution No. 149/49 the following procedure with regard to jurisdiction of Civil and Military Courts for trying the Azad Soldiers or others who are subject to Military Law will be adapted.

Courts-Martial will be prohibited from trying the cases of Azad Soldiers or others who are subject to Military Law for murder. Culpable homicide of a person not subject to Military Law or manslaughter or treason, or rape if the offence is committed at any place of Azad territory unless the offence is committed on active service provided such person at the time of committing the offence is at the place which is one hundred mites from the Headquarters of any Azad Kashmir Civil Court.

All other civil offences except mentioned above committed by the person subject to Military Law will be tried by the Courts-Martial.

For the purpose of Section 71 of Indian Army Act the High Court of Azad Kashmir will be treated as Criminal Court. The High Court may please be moved to issue directions to the subordinate Courts in this connection.