

**THE AZAD JAMMU AND KASHMIR DELIMITATION OF
CONSTITUENCIES ORDINANCE, 1970
(Ordinance VII of 1970)**

*(Passed under Government Order No. 2896-2950/Leg/I/SL/70,
Dated the July 25, 1970).*

WHEREAS it is necessary to provide for the delimitation of constituencies for elections to the Azad Jammu and Kashmir State Council to be constituted under the Azad Jammu and Kashmir State Council Ordinance, 1970;

Now, THEREFORE, in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance :-

1. **Short title, commencement and extent:-** (1) This Ordinance may be called the Azad Jammu and Kashmir Delimitation of Constituencies Ordinance, 1970.
 - (2) It shall come into force at once.
 - (3) It shall extend to the whole of the Azad Jammu and Kashmir Territory and shall also apply to all State Subjects mentioned in clauses (2) and (3) of section 2 of the Azad Jammu and Kashmir State Council Ordinance, 1970.
2. **Definitions:-** In this Ordinance, unless there is anything repugnant in the subject or context:
 - (a) 'Commission' means the Delimitation Commission constituted under section 4 ;
 - (b) 'population' means the population as given in the final report of the 1961 Census;
 - (c) 'Registered voters' means voters registered under the Azad Jammu and Kashmir Electoral Rolls Ordinance, 1970 ;
 - (d) 'State Council' means the State Council to be constituted under the Azad Jammu and Kashmir State Council

Ordinance, 1970.

3. **Ordinance to override other laws:-** This Ordinance shall have effect notwithstanding anything to the contrary contained in any law, ordinance or rules for the time being in force.
4. **Constitution of Delimitation Commission:-** (1) For the purpose of this Ordinance, the President shall constitute a Delimitation Commission consisting of the Election Commissioner appointed or deemed to be appointed under the Azad Jammu and Kashmir Electoral Rolls Ordinance, 1970.
 - (2) The Commission shall continue to function until it is, by order of the President, dissolved.
 - (3) The Commission shall be entitled to such immunities and privileges as the President may determine.
5. **Procedure of the Commission:-** Subject to the provisions of this Ordinance, the Commission shall regulate its own procedure.
6. **Assistance to Delimitation Commission:-** (1) The Commission may require any person or authority to perform such functions or render such assistance for the purposes of this Ordinance as it may direct.
 - (2) All authorities of the Azad Government of the State of Jammu and Kashmir shall assist the Commission in the performance of its functions and for this purpose the President may, after consultation with the Commission, issue such directions as he may consider necessary.
7. **Delimitation of Constituencies, etc:-** (1) The Commission shall:
 - (a) for the purpose of election to the seats in the State Council, divide each district in the Azad Jammu and Kashmir Territory into as many territories constituencies as the number of such seats set out in column 2 of the entry in Schedule I for the district; and
 - (b) for the purpose of election to the seats in the State Council for the State Subjects who are now residing in any of the Provinces of the Punjab, Baluchistan, Sind and North-West Frontier Province, divide each Province or Provinces into as

many territorial constituency or constituencies as the number of such seats set out in column 2 of the entry in Schedule II:—

- (2) (a) For the areas mentioned in clause (a) of sub-section (1) the allocation of seats in each district shall be on the basis of population ; and
- (b) for the areas mentioned in clause (b) of sub-section (1), the allocation of seats in the Province or Provinces shall be on the basis of registered voters.
- (3) The constituencies for the seats in the State Council shall be so delimited, having regard to administrative convenience, that each constituency is a compact area and in doing so due regard shall be had, so far as practicable, to the distribution of the population or the number of registered voters, as the case may be.
- (4) The Commission shall, after making such inquiries and examining such records as it may deem necessary and considering such representations as may be received by it, publish in the official Gazette a preliminary list of territorial constituencies specifying the areas proposed to be included in each such constituency together with a notice inviting objections and suggestions within a period specified in such notice.
- (5) The Commission shall, after hearing and considering the objections and suggestions, if any, received by it, make such amendments, alterations or modifications in the preliminary list published under sub-section (4) as it thinks fit or necessary, and shall publish in the Government Gazette the final list of territorial constituencies showing the areas included in each such constituency.

8. **Validity of act of Commission not questionable:-** The validity of the delimitation or formation of any constituency, or of any proceedings taken or anything done by or under the authority of the Commission, under this Ordinance shall not be called in question in any Court.

SCHEDULE I

[See section 7 (1) (a)]

Seats in the State Council for the Azad Jammu and Kashmir Territory :—

District	Seat
Mirpur	7
Poonch	5
Muzaffarabad	4

SCHEDULE II

[See section 7 (1) (b)]

Seats in the State Council for the areas in the Provinces of the Punjab, Baluchistan, Sind and North-West Frontier Province :—

Seats

- (a) Seats for the State Subjects of the occupied areas of the districts of Anantnag (Islamabad) Baramula and Muzaffarabad now residing in the Provinces of the Punjab, Baluchistan, Sind and North-West Frontier Province.
- (b) Seats for the other State Subjects now residing in the Provinces of the Punjab, Baluchistan, Sind and North-West Frontier Province.
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