

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR,
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT
MUZAFFARBAD**

Dated the 3rd April, 1986

No. 599-603/LD/Leg (A)/86. The following Act of the Assembly received the assent of the President on the 6th day of March, 1986, is hereby published for general information.

(ACT XXXVI OF 1986)

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ACT

to provide for law relating to housing facilities for Government employees of Azad Jammu and Kashmir

WHEREAS it is expedient to make provisions for settlement of the employee of Azad Government of the State of Jammu and Kashmir in colonies at centre places in Azad Jammu and Kashmir in the hereinafter appearing:

It is hereby enacted as follows: -

1. **Short title and Commencement.**- (1) This Act may be called Azad Jammu and Kashmir Government employees Housing Facilities Act, 1986.
 - (2) It extends to the whole of Azad Jammu and Kashmir
 - (3) it shall come into force at once.
2. **Definitions.** In this Act unless there is anything repugnant in the subject or context:-
 - (a) "Allottee" means a Government employee retired defence personnel or any other person to whom a plot is allotted under this Act.
 - (b) "Committee" means an Allotment Committee set-up by the Government under this Act;
 - (c) "Government" means the Azad Government of the State of Jammu and Kashmir;
 - (d) "Government employee" means an employee of Azad Government of the State of Jammu and Kashmir drawing pay in grade 1 to grade 15 and includes the employee drawing fixed pay at any rate between minimum of grade 1 and maximum of grade 15.

It also includes employees drawing their pays from contingent grants and funds of the semi Government organizations.

- (e) “member” means a member of the Allotment Committee.
- (f) “Prescribed” means prescribed by rules, made under this Act.
- (g) “Eligible” means eligible for the allotment of plots in accordance with the rules made under this Act.

3. **Earmarking the Area.-** The Government may earmark and requisition acquire an area comprised of crown land, evacuee land, resumed land, private land for the purpose of setting up of a housing colony of the retired defence personal or any other person allotted a plot at District and Tehsil Headquarters within Azad Jammu and Kashmir.
4. **Setting Up of Allotment Committees.-** (1) The Government may set up Allotment Committees, one for each District, for carrying out the purposes Act.
 - (2) Each Committee shall consist of a Chairman and other member not exceeding two in number as may be appointed by the Government.
5. **Allotment of Plots.** (1) The Committees shall take over the areas earmarked for the purpose and shall reduce it into plots of six marlas each.
 - (2) Each eligible employee shall be allotted one plot of six marlas of land for the purposes of construction of residential houses as prescribed, which transferable to any person except a Government employee:
 - Provided completion of house the proprietary rights shall vest the allottee.
 - (3) The allottee shall pay the nominal or token price of the plot to the committee in lump-sum or in installments, as may be decided by the committee under the direction of the Government.
 - (4) Five percent of the plots shall be reserved in each housing colony for the allotment by the Chief Executive at his discretion to any deserving person.
6. **Cancellation of Allotment.-** The Committee or the Government may, in case of defaults in payment of installment or otherwise or in contravention of any rules and regulation, cancel the allotment and the amount paid by the allottee shall stand forfeited to the Government.
7. **Appointment of Appellate Authority.-** (1) The Government may appoint a person of the status higher than of the chairman of the Committee to the hear and decide the appeals against the decision of the Allotment Committee.

Volume VIII (1985-1988)

(2) All appeals against the orders of the Allotment Committee shall be submitted to the Appellate authority within 30 days of the decision of the Committee.

(3) The appellate authority may hear and decide the appeal preferred under subsection (2) of this section in such manner as it thinks fit.

8 **Rules.-** The Government may make rules for carrying out the purposes of the Act.

9 **Savings.-** Notwithstanding judgment, decree or order of any court, including High court, every thing done, all actions taken, notifications issued, order of appointments made, proceedings initiated, jurisdiction or powers exercised and the provisions of the Government Employees Housing Facilities Ordinance 1981 (Ordinance CLXXXVIII of 1981) or its succeeding Ordinances issued from time to time shall be deemed to have been validly done, taken issued, made initiated or exercised under this Act.

Sd/-

(Syed Atta Mohy-ud-Din Qadri)

Deputy Secretary Law.