

**THE AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR,
LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT**

MUZAFFARABAD,
the 26th November, 1972.

The following Act of the Legislative Assembly received the assent of the President Azad Jammu and Kashmir, and is hereby published for general information: -

(Act XIII of 1972)

An Act to provide for the prohibition of possession of copper wire, aluminium wire or transformers.

Preamble

Whereas it is expedient to provide for the prohibition of possession of copper wire, aluminium wire or transformer.

It is hereby enacted as follows: -

1. **Short title, extent and commencement:-** (i) This Act may be called the Azad Jammu and Kashmir Prohibition of Possession of Copper Wire, Aluminium Wire and Transformer Act, 1972.

(ii) It shall extend to the whole of Azad Jammu and Kashmir.

(iii) It shall come into force at once.
2. **Definitions:-** In this Act, unless there is anything repugnant in the subject or context.-
 - (a) 'Aluminium Wire' means any aluminium wire or the specification and gauges used by the Department whether in original form or in any other form;
 - (b) 'Copper Wire' means any Copper Wire or the specification and gauges used by the Department whether in original form or in any other form;
 - (c) 'Department' means the Electricity Department of the Azad Government of the State of Jammu and Kashmir;
 - (d) 'Officer of the Department' means any officer of the

Department not below the rank of Sub-Divisional Officer;

- (e) 'Transformer' means any distribution transformer, of any other part thereof, of the specification used by the Department, whether in original form or in any other form.

No person shall receive or remain in possession of the Copper Wire, Aluminium Wire or Transformer or change its original form except with the permission of the Department.

- i) Any person who is in possession of the Copper Wire, Aluminium wire or Transformer without the permission of the Department shall, within one month from the date of the issue of this Act, surrender it to any Officer of the Department or declare it to him and apply for permission to remain in the possession.
- ii) If the permission applied for under sub-section (i) is refused, the person in possession of the Copper Wire, Aluminium Wire or transformer shall, within 15 days of the refusal of permission surrender the Copper Wire. Aluminium Wire or Transformer, as the case may be, in the manner provided in sub-section (i).

Where the Department is not in existence, the powers vested in Officer of the Department referred to in Section 4 sub-section (i) shall be exercised by the Local Magistrate of the area or the District Magistrate.

- (i) Any Officer of the Department or any Police Officer not below the rank of an A.S.I. having reason to believe that an offence under this Act has been or is being committed, may apply to the local Magistrate for permission to enter and search any premises to seize the Copper Wire, Aluminium Wire or Transformer in respect of which offence has been or is being committed, as the case may be.
- (ii) Subject to the provision of sub-section (i) if any Officer of the Department requires Police assistance for carrying out the purpose of this Act, he may send requisition to the officer incharge of a Police Station who shall, on such requisition render the necessary assistance.

Penalty.

7. Whoever contravenes any of the provisions of this Act shall, on conviction, be punishable:-

- (a) in the case of a first conviction, with imprisonment which

may extend to six months, or with fine, or with both; and

(b) in the case of any subsequent conviction, with imprisonment which may extend to one year, or with fine, or with both.

8. Where a person is convicted for an offence under this Act, the Copper Wire, Aluminium Wire or Transformer in respect of which the offence has been committed, shall stand forfeited to the Government.
