

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

Dated the 28th February, 1989.

No. 153-157/LD/Leg/(A)/89. The following Act of the Assembly received the assent of the President on 21st day of February, 1989, is hereby published for general information:-

(ACT VI OF 1989)

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ACT

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

WHEREAS it is necessary to amend the Azad Jammu and Kashmir Regularization of Nautors and Grant of Khalsa Land Ordinance, 1974 in the manner hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title and Commencement.** - (1) This Act may be called the Azad Jammu and Kashmir Regularization of Nautors and Grant of Khalsa Land (Amendment) Act, 1989.
(2) It shall come into force at once.
2. **Amendment of Section 3, Ordinance VI of 1974.**- In the Azad Jammu and Kashmir Regularization of Nautors and Grant of Khalsa Land Ordinance, 1974 (Ordinance VI of 1974), for Section 3 the following shall be substituted:-
“(3) **Regularization of existing Nautors.**- (1) A person to whom right in respect of Khalsa land had accrued under Council Orders No. 38/C, 40/C of Dogra Regime or any order of Poonch State or Government Order No. 282/57, and the right could not be granted due absence of entry in the revenue records as required under Government Order No. 282/57, shall be entitled to the grant of proprietary rights;

Provided it is proved before the Collector of the District, after such enquiry as may be prescribed, that such person has been in continuous possession of Khalsa Land and recorded as such in the revenue record before Rabi1957 A.D. such grant may be made on payment of premium and subject to limitations as laid down in the aforesaid orders, as amended from time to time.

VOLUME IX: 1989-1993

Provided further that Nautors which do not fulfill the conditions laid down in Government Order No. 149/60 dated 11.3.1960 shall not be regularized.

(2) Proprietary rights for Nautors made out of Khalsa Land after Rabi 1957 A.D. and before 17th June,1985 shall be granted by the Collector of the District in the name of Nautor Kunindah,-

- (a) whose entire holdings including Nautors do not exceed eight kanals without payment; or
- (b) whose entire holdings including Nautors of eight kanals but do not exceed thirty kanals, on payment of market price or at the rate of Rs.2000/- per kanal whichever is less.

(3) Proprietary rights under sub-section (2) shall be granted only when it is proved before the collector of the District concerned that the Nautor Kuninda has been in continuous possession of the Nautors and recorded as such in the revenue record:

Provided that for the purpose where revenue record does not exist the Collector shall satisfy himself through an enquiry to be conducted by the revenue officer not below the rank of Tehsildar.

(4) All sanctions of Nautor shall be incorporated in the revenue record through mutation to be attested by revenue officer not below the rank of Assistant collector 2nd grade:

Provided that the Nautor which is likely to be required for any Government purpose or common village purpose shall not be regularized.

(5) A land owner in possession of Nautor exceeding thirty kanals including his own holdings shall be liable to summary ejection by an officer not below the Rank of Naib Tehsildar.

(6) The provision of his Section shall not apply to the areas falling within the limits of Town Committees and Municipal Committees.

(7) The holding of Nautor Kunindah for the purpose of this Section shall be the holding as it stood on 15.6.1985 and any transfer made by him after this date shall be reckoned in his holding.

VOLUME IX: 1989-1993

(8) No Nautor exceeding 30 kanals including the holding of a Nautor Kunindah shall be regularized in any case and the said Nautor Kunindah shall be summarily ejected by a revenue officer not below the rank of Naib Tehsildar.

3. **Repeal.-** The Azad Jammu and Kashmir Regularization of Nautors and Grant of Khalsa Land (Amendment) Ordinance, 1988 (Ordinance LXVII 1988) is hereby repealed.

Sd/-

(Raja Bashir Ahmad Khan)
Secretary Law and Parliamentary Affairs

AJK LAW Department (Library)