

**AZAD JAMMU AND KASHMIR CRIMINAL PROCEDURE  
CODE (AMENDMENT) ORDINANCE, 1971.**

**(Ordinance XXIII of 1971)**

Whereas Proclamation of Emergency has been made by the -  
president of Azad Government in the State;

And Whereas the Legislative Assembly is not in session and the  
President is satisfied that the circumstances exist and the emergency has  
arisen which render immediate legislation necessary;

Now in exercise of the powers conferred by section 24 of the  
Azad Jammu and Kashmir Government Act, 1970 and all other powers  
enabling him in that behalf, the President is pleased to make and  
promulgate the following Ordinance.

1. Short title and commencement.- (1) This Ordinance may be called  
the Azad Jammu and Kashmir Criminal Procedure Amendment  
Ordinance, 1971.  
2. It shall come into force at once and shall continue to remain  
in force till emergency exists.
2. **Amendment of Section 491 (Act V of 1898).** In the Code of  
Criminal Procedure, 1898 (Act V of 1898), as in force in the  
Azad Jammu and Kashmir Territory, in section 491, in sub-  
section (3) the following shall, be added namely:-  
(3) Nothing in this section applies to persons detained under the  
Azad Jammu and Kashmir Civil Defence Rules, 1962, or under  
any other law relating to preventive detention as may, from time  
to time, be specified by the Azad Government of the State of  
Jammu and Kashmir.

Explanation:- in this sub-section, the expression the Azad Jammu and  
Kashmir Civil Defence Rules, 1962, means the, rules made under the  
Azad Jammu and Kashmir Civil Defence Act, 1951. •