

**THE AZAD JAMMU AND KASHMIR NATIONAL SERVICE
POWERS ORDINANCE, 1971.**

(Ordinance XXI of 1971)

Whereas it is expedient to provide for special measure to as sure the security, the public safety and interest and "the defence of the State; and for national service of the citizens for that purpose; and

Whereas the Legislative Assembly is not in session and the president is satisfied that circumstances exist and the emergency has arisen which render immediate-legislation necessary; ""-•

Now, therefore, in exercise of the powers conferred by Section 24 of the Azad Jammu and Kashmir Government Act, 1970, and all powers enabling him in that behalf, the president, Azad jammu and Kashmir 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 National Service Powers ordinance, 1971.
 - (2) It shall come into force at once.
 - (3) It shall apply to all citizens . of the Azad Jammu and Kashmir wherever they may be and to all servants of the State.
2. **Definitions:-** In this Ordinance, unless there is anything repugnant in the subject or context,-
 - (a) 'Government' shall mean the Azad Government of The State of Jammu and Kashmir;
 - (b) 'Citizen' means a person who is or is deemed to be the citizen of Azad Jammu and Kashmir State and shall also include any person or persons who are at present under detention under any law of the State or who have been debarred from the service of the State under the provisions of any enactment or order of the Government;
 - (c) 'Service of State' means any employment or post in or under Government, or in connection with the affairs of Government and includes any defence service, and any other service declared by or under any law for the time being in

force to be a service of Azad Jammu and Kashmir ; and 'servant of the State' shall be construed accordingly.

3. **Power to impose civil/army duties on citizen,-** (i) The Government or any person authorized by Government this behalf may, if it considers it necessary or expedient so to 'do, for securing the defence of the State, the public safety, or the maintenance of public order or for maintaining supplies of essential commodities or construction or maintenance of roads, by general or special order require any person or class of person to perform such civil or army duties within the jurisdiction of the State;
(ii) Any person or persons to whom any order made under subsection (i) applies shall, continue to perform the duties imposed on him by order until he is relieved therefore by competent authority.
4. If any person or persons contravenes the provisions of any such order, he shall be punishable with imprisonment for a term which may extend to three years or with fine not exceeding three thousand rupees or with both.
5. No proceedings or order taken or made under this Ordinance shall be called in question by any Court and no civil or criminal proceeding shall be instituted against any person for anything done or intended to be done under this Ordinance.
6. Nothing contained in this Ordinance shall be deemed to - to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence.
7. Any order made, or any other action taken, under this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any enactment other than this Ordinance.
8. The offences under this Ordinance shall be cognizable and non-bailable.

No: 33515-815/ID/71 Dated 1.12.1971.