

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

Dated 3rd April, 1984.

No. 607/LD/84. The following Ordinance made by the President on the 3rd day of the April, 1984, is hereby published for general information:-

(ORDINANCE LXXVII of 1984)

**AN
ORDINANCE**

to provide relief to the distressed persons in Azad Jammu and Kashmir.

WHEREAS it is expedient to provide relief to the distressed persons in Azad Jammu and Kashmir;

AND WHEREAS the president is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 41 of the Azad Jammu and Kashmir Interim Constitution Act, 1974, 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 Distressed Persons Relief Ordinance, 1984.
 - (2) It extends to the whole of Azad Jammu and Kashmir.
 - (3) It shall come into force at once.
2. **Definitions.-** In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them that is to say:-
 - (a) "Competent officer or Board of officers" means an officer or Board appointed by the Government to function as such under Section 4 of this Ordinance;
 - (b) "Distressed person" means and includes any person who lives in Azad Jammu and Kashmir and who--
 - (i) has been physically or financially damaged on account of any accident, fire, epidemic, rains, or any other calamity and in the opinion of the competent officer or Board of officers deserves aid or relief in order to enable him to continue the normal pursuits of his life for the time being or till the effect of the damage subsidize; or

- (ii) is dependent of a person who has lost his life in an accident, fire, epidemic rains or any other calamity and in the opinion of the competent officer or Board of officers it is expedient to provide him relief;
 - (c) “Government” means the Azad Government of the State of Jammu and Kashmir;
 - (d) “The Distressed Persons Relief Fund” means a fund created or established as such and operated under this Ordinance;
 - (e) “State Subject” means a State Subject as defined under the Dogra Regime Government Notification No. I-L/84, dated the 20th April, 1927.
3. **The Distressed Persons Relief Fund.**- The Government may establish fund to be called “ the Distressed Persons Relief Fund” (hereinafter referred to as the fund)” in order to meet the requirements for relief of distressed persons under this Ordinance or rules made thereunder.
4. **Competent officer or Board of Officers.**- The Government may appoint or nominate a competent officer or Board of officers to make recommendations to the Government about the distressed person(s) entitled to get relief out of the fund referred to in Section 3. In making recommendations to the Government under this Section, the competent officer or Board of officers shall be guided by the rules made under this Ordinance and the assessment made by the Assessment Committee appointed by the Government for relief assessment purposes.
5. **Pending Cases.**- The cases pending before coming into force of this Ordinance, shall be finally disposed of under this Ordinance.
6. **Recommendations.**- In making recommendations to the Government the competent officer or the Board of officers referred to in the foregoing section may recommended.
- (i) the person or persons who deserve relief under this Ordinance;
 - (ii) the amount of relief;
 - (iii) manners in which relief is to be given;
 - (iv) the period for which relief is to continue:

Provided that the maximum relief which can be granted to an individual Collective cases shall not exceed ten percent of the total loss assessed;

“Provided further that in individual cases the relief shall be given in the exceptional and hard cases.”

7. **Orders.-** On receipt of the recommendations of the competent officer or the Board of officers, Government may accept, rescind or modify the recommendations or pass such other orders as it deem fit.
8. **Power of President to Grant Relief.-** (1) Notwithstanding anything contained in clause (b) of Section 2 and Section 6 of this Ordinance or any other law for the time being in force, the President may order one time grant of a sum not exceeding Rupees twenty thousand only in case of a calamity to be placed at the disposal of District authorities for providing immediate relief in collective cases for provision of food, shelter, clothing, Medicine and other necessary relief from the Relief Fund. The District Officer shall subsequently, within a period of three months, render an account of this amount to Accountant General, Azad Jammu and Kashmir, for verification and audit.
 - (2) In case of physical incapacitation of persons, as defined in section 2(b)
 - (i) the President may in exceptional cases order for payment of cash compensation not exceeding Rupees two thousand and five hundred as immediate relief.
 - (3) In case of death of a person, as defined in section 2(b)
 - (ii) the President may in exceptional cases order for payment of cash compensation not exceeding Rupees five thousand as immediate relief.
9. **Power to make rules.-** (1) The Government may, by notification in Official Gazette make rules for carrying out the purposes of this Ordinance.
 - (2) In particular and without prejudice to the generality of the foregoing provision such rules may provide:-
 - (a) the amount of relief for different categories of the distressed persons;
 - (b) the manner in which preliminary enquiries should be made;
 - (c) the manners in which different accounts, entries or certificates are to be maintained, made or given in this behalf,

(d) such order matters as are necessary to facilitate the operation of this Ordinance.

10. **Savings.**- Notwithstanding any judgment, decree or Order of any Court including High Court, every thing done, all actions taken, notifications issued, orders or appointments made, proceedings initiated, jurisdiction or powers exercised under the provisions of the Azad Jammu and Kashmir Distressed Persons Relief Ordinance, 1980 (Ordinance CXXX of 1980) 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 Ordinance.

Sd/(Major General (Retd) Abdul Rehman Khan
President
Azad Jammu & Kashmir

Sd/- (Khalil Ahmed Qureshi) Secretary Law.