

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

Dated the 29th November, 1981.

No. 8769/LD/81. The following Ordinance made by the President on the 29th day of November, 1981, is hereby published for general information:-

**(ORDINANCE CCXXXI OF 1981)**

**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, Extent and Commencement.-** (1) This Ordinance may be called the Azad Jammu and Kashmir Distressed persons Relief Ordinance, 1981.
  - (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 effects of the damage sub-sidize, 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 a 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 there under.
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 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. **Recommendations.-** In making recommendations to the Government the competent officer or the Board of officers referred to in the foregoing section, may recommend-
- (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 or Collective cases shall not exceed ten percent of the total loss assessed.

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

6. **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 deems fit.
7. **Power to make rules.-** (1) The Government may, by notification in the official Gazette make rules for carrying out the purposes of this Ordinance.
- (2) In the 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 manners 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 other matters as are necessary to facilitate to operation of this Ordinance.
8. **Savings.-** Notwithstanding any judgment, decree or order of any Court including High Court, everything 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.

(Mohammad Hayat Khan)  
President

Azad Jammu and Kashmir

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Sd/- (Khalil Ahmed Qureshi)  
Secretary Law