

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

Dated the 7th December, 1982.

No. 1837/LD/82. The following Ordinance made by the President on the 7th day of December, 1982, is hereby published for general information.

(ORDINANCE CCLXI OF 1982)

AN

ORDINANCE

to amend the Azad Jammu and Kashmir Grant of Khalsa Waste Land as 'Shamilat-Deh' Act, 1966.

WHEREAS it is expedient to amend the Azad Jammu and Kashmir Grant of Khalsa Waste Land as Shamilat-Deh Act, 1966, in the manner hereinafter appearing;

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 Grant of Khalsa Waste Land as Shamilat-Deh (Amendment) Ordinance, 1982.

(2) It shall come into force at once.

2. **Amendment of Section 4, Act I of 1966.-** In the Azad Jammu and Kashmir Grant of Khalsa Waste Land as Shamilat-Deh Act, 1966 (Act I of 1966) hereinafter referred to as the said Act in Section 4, after sub-section (3), for the full stop, a colon shall be substituted, and thereafter the following proviso shall be added, namely:-

“Provided that where such land is to be given as “Shamilat Deh” to Dehi Council to be managed by it as community Forest, the condition of twenty four or more state trees per acre shall not apply:

Provided further that till such time as the Dehi Council is in a position to take over management of community forests, the Forest Department shall manage and develop on its behalf. The provisions of the Azad Jammu and Kashmir Forest Regulations, 1930 and rules made thereunder shall apply to these forests. The expenditure incurred on management and development thereof

shall be deducted and the net income shall be treated as revenue of Dehi Council.”

3. **Amendment of Section 7, Act I of 1966.-** In the said Act, is Section 7:-

(a) in sub-section (1) the full stop at the end shall be omitted and thereafter the words “which may extend to five thousand rupees” shall be added; and

(b) after sub-section (1), as amended aforesaid, the following new sub-section (1-A) shall be inserted, namely:-

“(1-A) If the ejected person re-occupies the vacated Khalsa/Shamilat Land, he shall be punished with rigorous imprisonment which shall extend to three years and with fine which may extend to rupees five thousand.”

4. **Repeal.-** The Azad Jammu and Kashmir Grant of Khalsa Waste Land as Shamilat-Deh (Amendment) Ordinance, 1982 (Ordinance CXCIX of 1982) is hereby repealed.

(Mohammad Hayat Khan)

President

Azad Jammu and Kashmir

Sd/- (Syed Atta Mohyuddin Qadri)
Deputy Secretary Law