

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

Dated the 3rd June, 1982.

No. 603/LD/82. The following Ordinance made by the President on the 3rd day of June, 1982 is hereby published for general information.

(ORDINANCE CXVI OF 1982)

AN

ORDINANCE

to provide for law relating to housing facilities for Government employees or Azad Jammu and Kashmir.

WHEREAS it is expedient to make provisions for settlement of Employees Azad Government of the State of Jammu and Kashmir in colonies at central places in Azad Kashmir 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 Government Employees Housing Facilities Ordinance, 1982.
 - (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 there is anything repugnant in the subject of context:-
 - (a) "Allottee" means a Government employee to whom a plot is allotted under this Ordinance;
 - (b) "Committee" means an Allotment Committee set-up by the Government under this Ordinance;
 - (c) "Government" means Azad Government of the State of Jammu and Kashmir;
 - (d) "Government employee" means an employee of Azad Government of the State of Jammu and Kashmir drawing pay in grade 1 to 15 and includes the employees

drawing fixed pay at any rate between minimum of Grade 1 and maximum of grade 15.

It also includes employees drawing their pays from contingent grants and funds of the semi-Government organizations

- (e) "Member" means a member of this Allotment Committee.
- (f) "Prescribed" means prescribed by rules, made under this Ordinance;
- (g) "Eligible" means eligible for the allotment of plots in accordance with the rules made under this Ordinance.

3. **Earmarking the Area.-** The Government may earmark and requisition or acquire an area comprised of crown land, evacuee land, resumed land, and private land for the purposes of setting up of a housing colony of the employee at District and Tehsil Headquarters within Azad Jammu and Kashmir.
4. **Setting Up of Allotment Committee.-** (1) The Government may set-up allotment Committee, one for each District, for carrying out the purposes of this Ordinance.
(2) Each Committee shall consist of a Chairman and other members not exceeding two in number as may be appointed by the Government.
5. **Allotment of Plots.-** (1) The Committees shall take over the areas earmarked for the purpose and shall reduce it into plots of six marlas each.
(2) Each eligible employee shall be allotted one plot of six marlas of land for the purposes of construction of residential houses as prescribed which shall not be transferable to any person except a Government employee.
(3) The allottee shall pay the nominal or token price of the plot to the Committee in lump-sum or in instalments as may be decided by the Committee under the direction of the Government.
6. **Cancellation of Allotment.-** The Committee or the Government may; in case of defaults in payment of instalment or otherwise or in contravention of any rules and regulation cancel the allotment and the amount paid by the allottee shall stand forfeited to the Government.
7. **Appointment of Appellate Authority.-** (1) The Government may appoint a person of the status higher than that of the

Chairman of the Committee to hear and decide the appeals against the decision of the Allotment Committee.

(2) All appeals against the orders of the Allotment Committee shall be submitted to the Appellate Authority within 15 days of the decision of the Committee.

(3) The appellate authority may hear and decide the appeal preferred under sub-section (2) of this section in such manner as it thinks fit.

8. **Rules.-** The Government may make rules for carrying out the purposes of a Ordinance.
9. **Saving.-** 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 Government Employees Housing Facilities Ordinance, 1981 (Ordinance CLXXXVIII of 1981) 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

Sd/- (Khalil Ahmed Qureshi)
Deputy Secretary Law