

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

Dated the 3rd November, 1982.

No. 1614/LD/82. The following Ordinance made by the President on the 3rd day of November, 1982, is hereby published for general information.

(ORDINANCE CCXLI OF 1982)

AN

ORDINANCE

to amend the West Punjab Highways Act, 1948 Azad Jammu and Kashmir Motor Vehicles Ordinance, 1971.

WHEREAS it is necessary to amend the West Punjab Highway Act, 1948 (Act VI of 1948) as adapted in Azad Jammu and Kashmir for the purposes 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 West Punjab High ways (Amendment) Ordinance, 1982.

(2) It shall come into force at once.

2. **Substitution of Section 6, Act VI of 1948.**- In the West Punjab Highways Act, 1948 (Act VI of 1948), as adapted in Azad Jammu and Kashmir, for Section 6, the following shall be substituted, namely:-

“6. Encroachments.- (1) Any person who sets-up any fence, hedges, or raise a construction within the 25 feet from the centre of any high-way or within the earmarked area for highway without written permission of Highways Authority, shall be punishable with fine which may extend to ten thousand rupees, and the Executive Engineer Highway concerned may without giving any notice, remove the offending structure, fence, hedges, post, deposit, goods, articles, stall or scaffolding and recover the cost from the defaulter.

(2) The Executive Engineer, High-Ways concerned or any person empowered in this behalf by him while removing the

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offending structure, fence, hedges, post, deposits, goods, articles, stalls or scaffoldings may use such force including Police force as may be necessary and may also recover the actual cost thereof from the person responsible for the offending structure as arrears of Land revenue.

(Mohammad Hayat Khan)
President
Azad Jammu and Kashmir

Sd/- (Khalil Ahmed Qureshi)
Secretary Law