

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

Dated the 15th April, 1989

**No. 386-90/LD/89.** The following Ordinance made by the President on the 15th day of April, 1989, is hereby published for general information:-

**(ORDINANCE XXV OF 1989)**

**AN**

**ORDINANCE**

to provide for compensation to be paid to the persons who are physically affected by enemy action along the cease fire line in Azad Jammu and Kashmir.

WHEREAS, it is expedient to pay compensation to the persons who are physically affected by enemy action along the cease fire line;

AND WHEREAS, the Legislative Assembly is not in session and 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 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 Cease Fire Line Incidents Compensation Ordinance, 1989.
  - (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) "Cease Fire Line" means the line demarcated between Azad Jammu and Kashmir and Indian held Jammu and Kashmir;
  - (b) "Government" means the Azad Government of the State of Jammu and Kashmir;
  - (c) "Competent Officer" or "Board of Officers" means an officer or Board appointed by the Government to function as such under this Ordinance;

- (d) “Compensation” means a compensation provided for in this Ordinance;
- (e) “Prescribed” means prescribed by rules made under this Ordinance;
- (f) “Incident” means incident causing damage to life by enemy action along the cease fire line in Azad Jammu and Kashmir;
- (g) “Affected person” means and includes any person who lives in Azad Jammu and Kashmir and who.—
  - “(i) has been physically damaged on account of any incident due to enemy action along the cease fire line;
  - (ii) is dependent of a person who has lost his life in an incident and in the opinion of the competent officer or board of officers, it is expedient to provide him compensation.

3. **The cease fire line incidents compensation fund.**- The Government may establish a fund to be called “The cease fire line incidents compensation fund” (hereinafter referred to as “the compensation fund) in order to fulfil the requirements of this Ordinance and the 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 affected persons entitled to get compensation 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 provisions of this Ordinance and rules made thereunder.

5. **Recommendations.**- In making recommendations to the Government the competent officer or the Board of Officers referred to in Section 4, may recommend.

- (i) the person or persons who are entitled to receive compensation under this Ordinance; and
- (ii) the amount of compensation:

Provided that the maximum compensation which can be granted to an individual in case of death or injury shall not exceed the amount mentioned in the schedule attached to this Ordinance:

Provided further that during the war no compensation shall be given under the provisions of this Ordinance.

6. **Orders.**- On receipt of the recommendations of the competent authority or Board of Officers, Government may accept, rescind or modify the recommendations or pass such orders as it may deem fit.
7. **Powers 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 particular and without prejudice to the generality of the foregoing provisions, such rules may provide for--
    - (a) the manner in which preliminary enquiries should be made; and
    - (b) such other matters are necessary to facilitate the operation of this Ordinance.

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**SCHEDULE**

(See Section 5)

COMPENSATION PAYABLE IN CERTAIN CASES

Amount of compensation for

DEATH	INJURY
Rs. Ten thousand (10,000) to Twenty thousand (20,000)	Rs. Five thousand (5,000) to Ten thousand (10,000)

Sd/-

(Sardar Mohammad Abdul Qayyum Khan)

President

Azad Jammu and Kashmir.

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