

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

Dated the 10th January, 1990.

No. 25-29/LD/90. The following Ordinance made by the President on the 10th day of January, 1990, is hereby published for general information.-

(ORDINANCE IV OF 1990)

AN

ORDINANCE

to amend the West Pakistan Land Revenue Act, 1967, as adopted in Azad Jammu and Kashmir.

WHEREAS it is necessary to provide for prevention of encroachment upon Land belonging to or acquired under authority of the Government,

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 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 Land Revenue (Amendment) Ordinance, 1990.

(2) It shall come into force at once.

2. **Insertion of new Section 175-A, (Act XVII of 1967.**- In the West Pakistan Land Revenue Act, 1967 (Act XVII of 1967) as adopted in Azad Jammu and Kashmir, after Section 175, the following new Section 175-A shall be inserted:-

175-A. (1) Where any person has encroached upon any land belonging to the Government or any authority under the Government or an autonomous body, a Revenue Officer not below the rank of an Assistant Collector Grade-I shall immediately on receipt of information, summarily eject the person encroaching upon such land and take possession of such land without payment of any compensation for any improvement and may also by order duly proclaimed forbid repetition of the encroachment. The person so ejected shall also be liable under

the orders of the ejecting officer to a fine not exceeding rupees five thousand.

(2) When a person who has been so ejected re-occupies the said land or part thereof, a Revenue Officer not below the rank of Assistant Collector Grade-I shall immediately on receipt of information summarily eject such person from such land and may also impose a fine not exceeding rupees ten thousand. The ejecting officer shall also by order duly proclaimed forbid repetition of encroachment of such land.

- (3) (a) Any person who contravenes the order forbidding repetition of encroachment issued under sub-section (1) and (2) above shall be liable to imprisonment of either description for a term which may extend to one year;
- (b) the offence under this Section shall be bailable and triable by a Magistrate Class I;
- (c) no Court shall take cognizance of any offence under this Section except on the complaint in writing by a Revenue Officer not below the rank of Assistant Collector Grade-I.

Sd/-

(Sardar Mohammad Abdul Qayyum Khan)
President
Azad Jammu and Kashmir

(Syed Shakir Shah)
Under Secretary Law
Azad Govt. of the State of J&K
Muzaffarabad.