

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

Dated the 30th November, 1991.

No. 1213-17/LD/91. The following Ordinance made by the President on the 30th day of November, 1991, is hereby published for general information: -

**(ORDINANCE CVIII OF 1991)**

**AN**

**ORDINANCE**

further to amend the Azad Kashmir Courts and Laws Code; 1949.

WHEREAS it is expedient to amend the Azad Kashmir Courts and Laws Code, 1949 for the purposes hereinafter appearing ;

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 Kashmir Courts and Laws Code (Amendment) Ordinance, 1991.
  - (2) It shall come into force at once.
2. **Amendment of Section 5, Azad Kashmir Courts and Laws Code, 1949.**- In the Azad Kashmir Courts and Laws Code, 1949, hereinafter referred to as the said Code, in Section 5;
  - (i) for sub-section (1), the following shall be substituted:

“(1) The High Court shall consist of a Chief Justice and three or more Judges.”
  - (ii) after sub-section (1) the following new sub-section (1-A) shall be inserted and shall be deemed always to have been so inserted, namely:-

“(1-A) at any time when

    - (a) the office of the Chief Justice of the High Court is vacant; or
    - (b) the Chief Justice of the High court is absent or is unable to perform the functions of his office due to any other cause;

the President shall appoint the most senior of the other Judges of the High Court to act as Chief Justice.”

3. “6-A. **Seat of the High Court.**- (1) The principal seat of High Court shall be at Muzaffarabad.  
(2) The President may establish one or more permanent Benches and Circuit Benches of High Court at such place or places as he may deem expedient.  
(3) A Bench referred to in sub-section (2) of this Section shall consist of such of the Judges of the High Court as may be nominated by the Chief Justice from time to time.”
4. **Substitution of Section 28, Azad Kashmir courts and Laws Code, 1949.**- In the said Code, for Section 28 the following shall be substituted, namely:-  
“28. For the purposes of this Act, Government shall divide territories under its administration into Civil Districts and Sub-Divisions and may, from time to time, alter the limits or the number of these Districts and sub-divisions.”
5. **Amendment of Section 29, Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, in Section 29.-  
(a) for sub-section (2) the following shall be substituted, namely.-  
“(2) the Government, in consultation with the High Court, may appoint an Additional District Judge for any District or Sub-Division. An Additional District Judge shall discharge the functions of a District Judge in one or more Sub-Divisions, as the Government may direct; and  
(b) in sub-section (3) between the words “shall” and “discharge” the word “also” shall be inserted.
6. **Repeal.**- The Azad Jammu and Kashmir Courts and Laws Code (Amendment) Ordinance, 1991 (Ordinance LXXV of 1991) is hereby repealed.

Sd/-  
(Sardar Sikandar Hayat Khan)  
President  
Azad Jammu and Kashmir

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Sd/-  
(Mohammad Fiaz Akhtar Ch.)  
Deputy Secretary Law