

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

Dated the 30 July, 1992.

No. 808-12/LD/92. The following Ordinance made by the President on the 30th day of July, 1992 is hereby published for general information: -

**(ORDINANCE LXXII OF 1992)**

**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, 1992.
  - (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. **Omission of Section 6, 8 & 12 of Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, Section 6, 8 & 12 shall be omitted.
4. **Insertion of Section 6-A, Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, after Section 6, the following new Section 6-A shall be inserted, namely:-
- "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".
5. **Amendment of Section 17, Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, in Section 17, subsection (2) shall be deleted.
6. **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 purpose of this Act, the 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."
7. **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.
8. **Amendment of Section 30, Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, in Section 30:-
- (a) in sub-section (1) the words "after consultation with the High Court" shall be deleted.
- (b) sub-section (2) shall be deleted.
9. **Omission of Section 35, Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, Section 35 shall be omitted.
10. **Amendment of Section 44, Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, in Section 44, for the words "by the Government" the words "as provided by the relevant law" shall be substituted.
11. **Omission of Section 50 & 51, Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, Section 50 & 51 shall be omitted.
12. **Amendment, of Section 52, Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, in Section 52, in sub-section (1) , clause ( e) shall be omitted.
13. **Omission of Section 55, 56 & 59, Azad Kashmir Courts and Laws Code, 1949.**- In the said Code, Section 55, 56 & 59 shall be omitted.
14. **Repeal.**- The Azad Kashmir Courts and Laws Code (Amendment) Ordinance, 1992 (Ordinance LXVIII of 1992) is hereby repealed.

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

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Sd/-  
(Syed Shakir Shah)  
Deputy Secretary Law