

THE JAMMU AND KASHMIR REORGANISATION ACT, 2019

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THE JAMMU AND KASHMIR REORGANISATION ACT, 2019

ACT NO. 34 OF 2019

[9th August, 2019.]

An Act to provide for the reorganisation of the existing State of Jammu and Kashmir and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

PART I

PRELIMINARY

1. Short title. — This Act may be called the Jammu and Kashmir Reorganisation Act, 2019.

2. Definitions. — In this Act, unless the context otherwise requires,—

(a) “appointed day” means the day¹ which the Central Government may, by notification in the Official Gazette, appoint;

(b) “article” means an article of the Constitution;

(c) “assembly constituency” and “parliamentary constituency” have the same meanings as in the Representation of the People Act, 1950 (43 of 1950);

(d) “Election Commission” means the Election Commission appointed by the President under article 324;

(e) “existing State of Jammu and Kashmir” means the State of Jammu and Kashmir as existing immediately before the appointed day, comprising the territory which immediately before the commencement of the Constitution of India in the Indian State of Jammu and Kashmir;

(f) “law” includes any enactment, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having, immediately before the appointed day, the force of law in the whole or in any part of the existing State of Jammu and Kashmir;

(g) “Legislative Assembly” means Legislative Assembly of Union territory of Jammu and Kashmir;

(h) “Lieutenant Governor” means the Administrator of the Union territory appointed by the President under article 239;

(i) “notified order” means an order published in the Official Gazette;

(j) “population ratio”, in relation to the Union territory of Jammu and Kashmir, and Union territory of Ladakh means the ratio as per 2011 Census;

(k) “Scheduled Castes” in relation to the Union territory means such castes, races or tribes or parts of groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Castes in relation to that Union territory;

(l) “Scheduled Tribes” in relation to the Union territory means such tribes or tribal communities or parts of or groups within such tribes or tribal communities as are deemed under article 342 to be Scheduled Tribes in relation to that Union territory;

1. 31st October, 2019 — clause (a) of Section 2, *vide* notification No. S.O. 2889 (E), dated 09th August, 2016 *see* Gazette of India Extraordinary, Part II, s. 3 (ii)

(m) “sitting member”, in relation to either House of Parliament or of the Legislature of the existing State of Jammu and Kashmir, means a person who immediately before the appointed day, is a member of that House;

(n) “Union territory”, in relation to the existing State of Jammu and Kashmir, means the Union territory of Jammu and Kashmir or Union territory of Ladakh, as the case may be;

(o) “transferred territory” means the territory which on the appointed day is transferred from the existing State of Jammu and Kashmir to Union territories formed under sections 3 and 4 of this Act; and

(p) any reference to a district, tehsil or other territorial division of the existing State of Jammu and Kashmir shall be construed as a reference to the area comprised within that territorial division on the appointed day.

PART II

REORGANISATION OF THE STATE OF JAMMU AND KASHMIR

3. Formation of Union territory of Ladakh without Legislature. — On and from the appointed day, there shall be formed a new Union territory to be known as the Union territory of Ladakh comprising the following territories of the existing State of Jammu and Kashmir, namely:—

“Kargil and Leh districts”,

and thereupon the said territories shall cease to form part of the existing State of Jammu and Kashmir.

4. Formation of Union territory of Jammu and Kashmir with Legislature. — On and from the appointed day, there shall be formed a new Union territory to be known as the Union territory of Jammu and Kashmir comprising the territories of the existing State of Jammu and Kashmir other than those specified in section 3.

5. Governor of existing State of Jammu and Kashmir to be common Lieutenant Governor.— On and from the appointed day, the Governor of the existing State of Jammu and Kashmir shall be the Lieutenant Governor for the Union territory of Jammu and Kashmir, and Union territory of Ladakh for such period as may be determined by the President.

6. Amendment of First Schedule to the Constitution.—On and from the appointed day, in the First Schedule to the Constitution, under the heading—“I. THE STATES”,—

(a) entry 15 shall be deleted.

(b) entries from 16 to 29 shall be renumbered as 15 to 28.

(c) under the heading—“II. UNION TERRITORIES”,—

after entry 7, the following entries shall be inserted, namely:—

“8. Jammu and Kashmir: The territories specified in section 4 of the Jammu and Kashmir Reorganisation Act, 2019”.

“9. Ladakh: The territories specified in section 3 of the Jammu and Kashmir Reorganisation Act, 2019”.

7. Saving powers of the Government of Union territory of Jammu and Kashmir.— Nothing in the foregoing provisions of this Part shall be deemed to affect the power of the Government of successor Union territory of Jammu and Kashmir to alter, after the appointed day, the name, area or boundaries of any district or other territorial division in that Union territory.

PART III

REPRESENTATION IN THE LEGISLATURES

The Council of States

8. Amendment of Fourth Schedule to Constitution.—On and from the appointed day, in the Fourth Schedule to the Constitution, in the Table,—

- (a) entry 21 shall be deleted;
- (b) entries 22 to 31 shall be renumbered as entries 21 to 30, respectively;
- (c) after entry 30, the following entry shall be inserted, namely:—
“31. Jammu and Kashmir4”.

9. Allocation of sitting members.—(1) On and from the appointed day, four sitting members of the Council of States representing the existing State of Jammu and Kashmir shall be deemed to have been elected to fill the seats allotted to the Union territory of Jammu and Kashmir, as specified in the First Schedule to this Act.

- (2) The term of office of such sitting members shall remain unaltered.

The House of the People

10. Representation in House of the People.—On and from the appointed day, there shall be allocated five seats to the successor Union territory of Jammu and Kashmir and one seat to Union territory of Ladakh, in the House of the People, and the First Schedule to the Representation of the People Act, 1950 (43 of 1950) shall be deemed to be amended accordingly.

11. Delimitation of Parliamentary Constituencies order, 1976.—(1) On and from the appointed day, the Delimitation of Parliamentary Constituencies Order, 1976 shall stand amended as directed in the Second Schedule of this Act.

- (2) The Election Commission may conduct the elections to the House of the People for the Union territory of Jammu and Kashmir and Union territory of Ladakh as per the allocation of seats specified in the Delimitation of Parliamentary Constituencies Order, 1976 as amended by this Act.

12. Provision as to sitting members.—(1) Every sitting member of the House of the People representing a constituency which, on the appointed day by virtue of the provisions of section 10, stands allotted, with or without alteration of boundaries, to the successor Union territory of Jammu and Kashmir or Union territory of Ladakh, as the case may be, shall be deemed to have been elected to the House of the People by that constituency as so allotted.

- (2) The term of office of such sitting members shall remain unaltered.

*The Lieutenant Governor and The Legislative Assembly of Union territory of
Jammu and Kashmir*

13. Applicability of article 239A of Constitution.—On and from the appointed day, the provisions contained in article 239A, which are applicable to “Union territory of Puducherry”, shall also apply to the “Union territory of Jammu and Kashmir”.

14. Legislative Assembly for the Union Territory of Jammu and Kashmir and its composition.—(1) There shall be an Administrator appointed under article 239 of the Constitution of India for the Union territory of Jammu and Kashmir and shall be designated as Lieutenant Governor of the said Union territory.

- (2) There shall be a Legislative Assembly for the Union territory of Jammu and Kashmir.
- (3) The total number of seats in the Legislative Assembly of the Union territory of Jammu and

Kashmir to be filled by persons chosen by direct election shall be 107.

(4) Notwithstanding anything contained in sub-section (3), until the area of the Union territory of Jammu and Kashmir under the occupation of Pakistan ceases to be so occupied and the people residing in that area elect their representatives—

(a) twenty four seats in the Legislative Assembly of Union territory of Jammu and Kashmir shall remain vacant and shall not be taken into account for reckoning the total membership of the Assembly; and

(b) the said area and seats shall be excluded in delimiting the territorial constituencies as provided under PART V of this Act.

(5) On and from the appointed day, the Delimitation of Assembly Constituencies Order, 1995, as applicable to Union territory of Jammu and Kashmir, shall stand amended as directed in the Third Schedule of this Act.

(6) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in the Legislative Assembly of the Union territory of Jammu and Kashmir.

(7) The number of seats reserved for the Scheduled Castes and the Scheduled Tribes in the Legislative Assembly of the Union territory of Jammu and Kashmir under sub-section (6) shall bear, as nearly as may be, the same proportion to the total number of seats in the Assembly as the population of the Scheduled Castes in the Union territory of Jammu and Kashmir or of the Scheduled Tribes in the Union territory of Jammu and Kashmir, in respect of which seats are so reserved, bears to the total population of the Union territory of Jammu and Kashmir.

*Explanation:—*In this sub-section, the expression “population” means the population as ascertained at the last preceding census of which the relevant figures have been published:

Provided that the reference in this *Explanation* to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year 2026 have been published, be construed as a reference to the 2011 census.

(8) Notwithstanding anything in sub-section (6), the reservation of seats for the Scheduled Castes or Scheduled Tribes in the Legislative Assembly of the Union territory of Jammu and Kashmir shall cease to have effect on the same date on which the reservation of seats for the Scheduled Castes or the Scheduled Tribes in the House of the People shall cease to have effect under article 334 of the Constitution of India.

(9) In the Second Schedule to the Representation of the People Act, 1950 (43 of 1950), under the heading :— “I. THE STATES:”

“(a) entry 10 shall be deleted”.

“(b) entries 11 to 29 shall be renumbered as 10 to 28”.

(10) In the Second Schedule to the Representation of the People Act, 1950 (43 of 1950), under the heading :—”II. Union Territories”

(a) after entry 2, the following entries shall be inserted, namely:—

1	2	3	4	5	6	7
‘3. Jammu and Kashmir	83	6	83	6’

(11) The provisions of articles 324 to 327 and 329 of the Constitution of India, shall apply in relation to the Union territory of Jammu and Kashmir, the Legislative Assembly and the members thereof

as they apply, in relation to a State, the Legislative Assembly of a State and the members thereof respectively; and any reference in articles 326 and 329 to “appropriate Legislature” shall be deemed to be a reference to Parliament.

15. Representation of women.—Notwithstanding anything in sub-section (3) of section 14 the Lieutenant Governor of the successor Union territory of Jammu and Kashmir may nominate two members to the Legislative Assembly to give representation to women, if in his opinion, women are not adequately represented in the Legislative Assembly.

16. Qualification for membership of Legislative Assembly.— A person shall not be qualified to be chosen to fill a seat in the Legislative Assembly unless he—

(a) is a citizen of India and makes and subscribes before some person authorised in that behalf by the Election Commission an oath or affirmation according to the form set out for the purpose in the Fourth Schedule of this Act;

(b) is not less than twenty-five years of age; and

(c) possesses such other qualifications as may be prescribed in that behalf by or under any law made by the Parliament.

17. Duration of Legislative Assembly.—The Legislative Assembly, unless sooner dissolved, shall continue for five years from the date appointed for its first meeting and no longer, and the expiration of the said period of five years shall operate as a dissolution of the Legislative Assembly:

Provided that the said period may, while a Proclamation of Emergency issued under clause (1) of article 352 is in operation, be extended by the President by order for a period not exceeding one year at a time and not extending in any case beyond a period of six months after the Proclamation has ceased to operate.

18. Sessions of Legislative Assembly, prorogation and dissolution.—(1) The Lieutenant Governor shall, from time to time, summon the Legislative Assembly to meet at such time and place as he thinks fit, but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session.

(2) The Lieutenant Governor may, from time to time,—

(a) prorogue the House;

(b) dissolve the Legislative Assembly.

19. Speaker and Deputy Speaker of Legislative Assembly. — (1) The Legislative Assembly shall, as soon as may be, choose two members of the Assembly to be respectively Speaker and Deputy Speaker thereof and, so often as the office of Speaker or Deputy Speaker becomes vacant, the Assembly shall choose another member to be Speaker or Deputy Speaker, as the case may be.

(2) A member holding office as Speaker or Deputy Speaker of the Assembly—

(a) shall vacate his office if he ceases to be a member of the Assembly;

(b) may at any time by writing under his hand addressed, if such member is the Speaker, to the Deputy Speaker, and if such member is the Deputy Speaker, to the Speaker, resign his office;

(c) may be removed from his office by a resolution of the Assembly passed by a majority of all the then members of the Assembly:

Provided that no resolution for the purpose of clause (c) shall be moved unless at least fourteen days' notice has been given of the intention to move the resolution:

Provided further that, whenever the Assembly is dissolved, the Speaker shall not vacate his office until immediately before the first meeting of the Assembly after the dissolution.

(3) While the office of Speaker is vacant, the duties of the office shall be performed by the Deputy Speaker or, if the office of Deputy Speaker is also vacant, by such member of the Legislative Assembly as may be determined by the rules of procedure of the Assembly.

(4) During the absence of the Speaker from any sitting of the Legislative Assembly, the Deputy Speaker, or, if he is also absent, such person as may be determined by the rules of procedure of the Assembly, or, if no such person is present, such other person as may be determined by the Legislative Assembly, shall act as Speaker.

(5) There shall be paid to the Speaker and the Deputy Speaker of the Legislative Assembly, such salaries and allowances as may respectively be fixed by the Legislative Assembly of the Union territory of Jammu and Kashmir by law and, until provision in that behalf is so made, such salaries and allowances as the Lieutenant Governor may, by order determine.

20. Speaker or Deputy Speaker not to preside while a resolution for his removal from office is under consideration.—(1) At any sitting of the Legislative Assembly, while any resolution for the removal of the Speaker from his office is under consideration, the Speaker, or while any resolution for the removal of the Deputy Speaker, from his office is under consideration, the Deputy Speaker, shall not, though he is present, preside, and the provisions of sub-section (4) of section 19 shall apply in relation to every such sitting as they apply in relation to a sitting from which the Speaker or, as the case may be, the Deputy Speaker, is absent.

(2) The Speaker shall have the right to speak in, and otherwise to take part in the proceedings of, the Legislative Assembly while any resolution for his removal from office is under consideration in the Assembly and shall, notwithstanding anything in section 25, be entitled to vote only in the first instance on such resolution or on any other matter during such proceedings but not in the case of an equality of votes.

21. Special address by Lieutenant Governor to Legislative Assembly.—(1) At the commencement of the first session after each general election to the Legislative Assembly and at the commencement of the first session of each year, the Lieutenant Governor shall address the Legislative Assembly, and shall inform the Legislative Assembly of the causes of its summons.

(2) Provision shall be made by the rules regulating the procedure of the Legislative Assembly for the allotment of time for the discussion of matters referred to in such address.

22. Rights of Ministers and Advocate General as respects Legislative Assembly.—Every Minister and the Advocate-General for the Union territory of Jammu and Kashmir shall have the right to speak in, and otherwise to take part in the proceedings of, the Legislative Assembly, and to speak in, and otherwise to take part in the proceedings of, any committee of the Legislative Assembly of which he may be named a member, but shall not by virtue of this section be entitled to vote.

23. Rights of Lieutenant Governor to address and send messages to the Legislative Assembly.—(1) The Lieutenant Governor may address the Legislative Assembly and may for that purpose require the attendance of members.

(2) The Lieutenant Governor may also send messages to the Legislative Assembly whether with respect to a Bill then pending in the Legislative Assembly or otherwise, and when a message so sent, the Legislative Assembly shall with all convenient despatch consider any matter required by the message to be taken into consideration.

24. Oath or affirmation by members.—Every member of the Legislative Assembly shall, before taking his seat, make and subscribe before the Lieutenant Governor of the said Union territory, or some person appointed in that behalf by him, an oath or affirmation according to the form set out for the purpose in the Fourth Schedule of this Act.

25. Voting in Assembly, power of Assembly to act notwithstanding vacancies and quorum.—(1) Save as otherwise provided in this Act, all questions at any sitting of the Legislative Assembly shall be determined by a majority of votes of the members present and voting, other than the Speaker or person acting as such.

(2) The Speaker, or person acting as such, shall not vote in the first instance, but shall have and exercise a casting vote in the case of an equality of votes.

(3) The Legislative Assembly shall have power to act notwithstanding any vacancy in the membership thereof, and any proceedings in the Legislative Assembly shall be valid notwithstanding that it is discovered subsequently that some person who was not entitled so to do, sat or voted or otherwise took part in the proceedings.

(4) The quorum to constitute a meeting of the Legislative Assembly shall be ten members or one-tenth of the total number of members of the Legislative Assembly, whichever is greater.

(5) If at any time during a meeting of the Legislative Assembly there is no quorum, it shall be the duty of the Speaker, or person acting as such, either to adjourn the Legislative Assembly or to suspend the meeting until there is a quorum.

26. Vacation of seats.—(1) No person shall be a member both of Parliament and of the Legislative Assembly, and if a person is chosen a member both of Parliament and of such Assembly, then, at the expiration of such period as may be specified in the rules made by the President, that person's seat in Parliament shall become vacant, unless he has previously resigned his seat in the Legislative Assembly of the said Union territory.

(2) If a member of the Legislative Assembly—

(a) becomes subject to any of disqualification mentioned in section 27 or section 28 for membership of the Legislative Assembly; or

(b) resigns his seat by writing under his hand addressed to the Speaker, and his resignation is accepted by the Speaker, his seat shall thereupon become vacant.

(3) If for a period of sixty days a member of the Legislative Assembly is without permission of the Assembly absent from all meetings thereof, the Assembly may declare his seat vacant:

Provided that in computing the said period of sixty days, no account shall be taken of any period during which the Assembly is prorogued or is adjourned for more than four consecutive days.

27. Disqualifications for membership.—(1) A person shall be disqualified for being chosen as, and for being, a member of the Legislative Assembly—

(a) if he holds any office of profit under the Government of India or the Government of any State or the Government of Union territory of Jammu and Kashmir or the Government or administration of any other Union territory or other than an office declared by law made by Parliament or by the Legislative Assembly not to disqualify its holder; or

(b) if he is for the time being disqualified for being chosen as, and for being, a member of either House of Parliament under the provisions of sub-clause (b), sub-clause (c) or sub-clause (d) of clause (1) of article 102 or of any law made in pursuance of that article.

(2) For the purposes of this section, a person shall not be deemed to hold an office of profit under the Government of India or the Government of any State or the Government of Union territory of Jammu and Kashmir or the Government of any other Union territory by reason only that he is a Minister either for the Union or for such State or Union territory.

(3) If any question arises as to whether a member of the Legislative Assembly becomes subject to any of disqualification under the provisions of sub-sections (1) and (2), the question shall be referred for the decision of the Lieutenant Governor and his decision shall be final.

(4) Before giving any decision on any such question, the Lieutenant Governor shall obtain the opinion of the Election Commission and shall act according to such opinion.

28. Disqualification on ground of defection for being a member.—The provisions of the Tenth Schedule to the Constitution shall, subject to the necessary modifications (including modifications for

construing references therein to the Legislative Assembly of a State, article 188, article 194 and article 212 as references, respectively, to the Legislative Assembly of Union territory of Jammu and Kashmir, as the case may be, section 24, section 30 and section 50 of this Act), apply to and in relation to the members of the Legislative Assembly of Union territory of Jammu and Kashmir as they apply to and in relation to the members of the Legislative Assembly of a State, and accordingly,—

(a) the said Tenth Schedule as so modified shall be deemed to form part of this Act; and

(b) a person shall be disqualified for being a member of the Legislative Assembly if he is so disqualified under the said Tenth Schedule as so modified.

29. Penalty for sitting and voting before making oath or affirmation or when not qualified or when disqualified.—If a person sits or votes as a member of the Legislative Assembly before he has complied with the requirements of section 24 or when he knows that he is not qualified or that he is disqualified for membership thereof, or that he is prohibited from doing so by the provisions of any law made by Parliament or the Legislative Assembly of the Union territory of Jammu and Kashmir, he shall be liable in respect of each day on which he so sits or votes to a penalty of five hundred rupees to be recovered as a debt due to the said Union territory.

30. Powers, privileges, etc., of members.—(1) Subject to the provisions of this Act and to the rules and standing orders regulating the procedure of the Legislative Assembly, there shall be freedom of speech in the Legislative Assembly.

(2) No member of the Legislative Assembly shall be liable to any proceedings in any court in respect of anything said or any vote given by him in the Assembly or any committee thereof, and no person shall be so liable in respect of the publication by or under the authority of such Assembly of any report, paper, votes or proceedings.

(3) In other respects, the powers, privileges and immunities of the Legislative Assembly and of the members and the committees thereof shall be such as are for the time being enjoyed by the House of the People and its members and committees.

(4) The provisions of sub-sections (1), (2) and (3) shall apply in relation to persons who by virtue of this Act have the right to speak in, and otherwise to take part in the proceedings of, the Legislative Assembly or any committee thereof as they apply in relation to members of the Legislative Assembly.

31. Salaries and allowances of members.—Members of the Legislative Assembly shall be entitled to receive such salaries and allowances as may from time to time be determined by the Legislative Assembly by law and, until provision in that behalf is so made, such salaries and allowances as the Lieutenant Governor may, by order determine.

32. Extent of legislative power.—(1) Subject to the provisions of this Act, the Legislative Assembly may make laws for the whole or any part of the Union territory of Jammu and Kashmir with respect to any of the matters enumerated in the State List except the subjects mentioned at entries 1 and 2, namely “Public Order” and “Police” respectively or the Concurrent List in the Seventh Schedule to the Constitution of India in so far as any such matter is applicable in relation to the Union territories.

(2) Nothing in sub-section (1) shall derogate from the powers conferred on Parliament by the Constitution to make laws with respect to any matter for the Union territory of Jammu and Kashmir or any part thereof.

33. Exemption of property of the Union from taxation.—The property of the Union shall, save in so far as Parliament may by law otherwise provide, be exempted from all taxes imposed by or under any law made by the Legislative Assembly or by or under any other law in force in the Union territory of Jammu and Kashmir:

Provided that nothing in this section shall, until Parliament by law otherwise provides, prevent any authority within the Union territory of Jammu and Kashmir from levying any tax on any property of the Union to which such property was immediately before the commencement of the Constitution

liable or treated as liable, so long as that tax continues to be levied in that Union territory.

34. Restrictions on laws passed by Legislative Assembly with respect to certain matters.—*(1)* The provisions of article 286, article 287 and article 288 shall apply in relation to any law passed by the Legislative Assembly with respect to any of the matters referred to in those articles as they apply in relation to any law passed by the Legislature of a State with respect to those matters.

(2) The provisions of article 304 shall, with the necessary modifications, apply in relation to any law passed by the Legislative Assembly with respect to any of the matters referred to in that article as they apply in relation to any law passed by the Legislature of a State with respect to those matters.

35. Inconsistency between laws made by Parliament and laws made by Legislative Assembly.—If any provision of a law made by the Legislative Assembly with respect to matters enumerated in the State List, in the Seventh Schedule to the Constitution is repugnant to any provision of a law made by Parliament with respect to that matter, whether passed before or after the law made by the Legislative Assembly, or, if any provision of a law made by the Legislative Assembly with respect to any matter enumerated in the Concurrent List in the Seventh Schedule to the Constitution is repugnant to any provision of any earlier law, other than a law made by the Legislative Assembly, with respect to that matter, then, in either case, the law made by Parliament, or, as the case may be, such earlier law shall prevail and the law made by the Legislative Assembly of the Union territory shall, to the extent of the repugnancy, be void:

Provided that if such law made by the Legislative Assembly has been reserved for the consideration of the President and has received his assent, such law shall prevail in the Union territory of Jammu and Kashmir:

Provided further that nothing in this section shall prevent Parliament from enacting at any time any law with respect to the same matter including a law adding to, amending, varying or repealing the law so made by the Legislative Assembly.

36. Special provisions as to financial Bills.—*(1)* A Bill or amendment shall not be introduced into, or moved in, the Legislative Assembly except on the recommendation of the Lieutenant Governor, if such Bill or Amendment makes provision for any of the following matters, namely:—

(a) the imposition, abolition, remission, alteration or regulation of any tax;

(b) the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the Government of the Union territory;

(c) the appropriation of moneys out of the Consolidated Fund of the Union territory;

(d) the declaring of any expenditure to be expenditure charged on the Consolidated Fund of the Union territory or the increasing of the amount of any such expenditure;

(e) the receipt of money on account of the Consolidated Fund of the Union territory or the public account of the Union territory or the custody or issue of such money or the audit of the account of the Union territory:

Provided that no recommendation shall be required under this sub-section for the moving of an amendment making provision for the reduction or abolition of any tax.

(2) A Bill or Amendment shall not be deemed to make provision for any of the matters aforesaid by reason only that it provides for the imposition of fines or other pecuniary penalties, or for the demand or payment of fees for licences or fees for services rendered, or by reason that it provides for the imposition, abolition, remission, alteration or regulation of any tax by any local authority or body for local purposes.

(3) A Bill which, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of Union territory shall not be passed by the Legislative Assembly of the Union territory unless the Lieutenant Governor has recommended to the Assembly, the consideration of the Bill.

37. Procedure as to lapsing of Bills.—(1) A Bill pending in the Legislative Assembly shall not lapse by reason of the prorogation of the Legislative Assembly.

(2) A Bill which is pending in the Legislative Assembly shall lapse on dissolution of the Legislative Assembly.

38. Assent to Bills.—When a Bill has been passed by the Legislative Assembly, it shall be presented to the Lieutenant Governor and the Lieutenant Governor shall declare either that he assents to the Bill or that he withholds assent therefrom or that he reserves the Bill for the consideration of the President:

Provided that the Lieutenant Governor may, as soon as possible after the presentation of the Bill to him for assent, return the Bill if it is not a Money Bill together with a message requesting that the Assembly will reconsider the Bill or any specified provisions thereof, and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message and, when a Bill is so returned, the Assembly will reconsider the Bill accordingly, and if the Bill is passed again with or without amendment and presented to the Lieutenant Governor for assent, the Lieutenant Governor shall declare either that he assents to the Bill or that he reserves the Bill for the consideration of the President:

Provided further that the Lieutenant Governor shall not assent to, but shall reserve for the consideration of the President, any Bill which,—

(a) in the opinion of the Lieutenant Governor would, if it became law, so derogate from the powers of the High Court as to endanger the position which that Court is, by the Constitution, designed to fill; or

(b) relates to any of the matters specified in clause (1) of article 31A; or

(c) the President may, by order, direct to be reserved for his consideration.

Explanation.—For the purposes of this section and section 39, a Bill shall be deemed to be a Money Bill if it contains only provisions dealing with all or any of the matters specified in sub-section (1) of section 36 or any matter incidental to any of those matters and, in either case, there is endorsed thereon the certificate of the Speaker of the Legislative Assembly signed by him that it is a Money Bill.

39. Bills reserved for consideration.—When a Bill is reserved by Lieutenant Governor for the consideration of the President, the President shall declare either that he assents to the Bill or that he withholds assent therefrom:

Provided that where the Bill is not a Money Bill, the President may direct the Lieutenant Governor to return the Bill to the Legislative Assembly together with such a message as is mentioned in the first proviso to section 38 and, when a Bill is so returned, the Assembly shall reconsider it accordingly within a period of six months from the date of receipt of such message and, if it is again passed by the Assembly with or without amendment, it shall be presented again to the President for his consideration.

40. Requirements as to sanction and recommendations to be regarded as matters of procedure only.—No Act of the Legislative Assembly and no provision in any such Act, shall be invalid by reason only that some previous sanction or recommendation required by this Act was not given, if assent to that Act was given by the Lieutenant Governor, or, on being reserved by the Lieutenant Governor for the consideration of the President, by the President.

41. Annual financial statement.—(1) The Lieutenant Governor shall in respect of every financial year cause to be laid before the Legislative Assembly of the Union territory of Jammu and Kashmir, a statement of the estimated receipts and expenditure of the Union territory for that year, in this Part referred to as the “annual financial statement”.

(2) The estimates of expenditure embodied in the annual financial statement shall show

separately—

(a) the sums required to meet expenditure described by this Act as expenditure charged upon the Consolidated Fund of the Union territory of Jammu and Kashmir, and

(b) the sums required to meet other expenditure proposed to be made from the Consolidated Fund of the Union territory of Jammu and Kashmir; and shall distinguish expenditure on revenue account from other expenditure.

(3) The following expenditure shall be expenditure charged on the Consolidated Fund of the Union territory of Jammu and Kashmir:—

(a) the emoluments and allowances of the Lieutenant Governor and other expenditure relating to his office;

(b) the charges payable in respect of loans advanced to the Union territory of Jammu and Kashmir from the Consolidated Fund of India including interest, sinking fund charges and redemption charges, and other expenditure connected therewith;

(c) the salaries and allowances of the Speaker and the Deputy Speaker of the Legislative Assembly;

(d) expenditure in respect of the salaries and allowances of Judges of High Court of Jammu and Kashmir;

(e) any sums required to satisfy any judgment, decree or award of any court or arbitral tribunal;

(f) expenditure incurred by the Lieutenant Governor in the discharge of his special responsibility;

(g) any other expenditure declared by the Constitution or by law made by Parliament or by the Legislative Assembly of the Union territory of Jammu and Kashmir to be so charged.

42. Procedure in Legislative Assembly with respect to estimates.—(1) So much of the estimates as relates to expenditure charged upon the Consolidated Fund of Union territory of Jammu and Kashmir shall not be submitted to the vote of the Legislative Assembly, but nothing in this sub-section shall be construed as preventing the discussion in the Legislative Assembly of any of those estimates.

(2) So much of the said estimates as relates to other expenditure shall be submitted in the form of demands for grants to the Legislative Assembly, and the Legislative Assembly shall have power to assent, or to refuse to assent, to any demand, or to assent to any demand subject to a reduction of the amount specified therein.

(3) No demand for a grant shall be made except on the recommendation of the Lieutenant Governor.

43. Appropriation Bills.—(1) As soon as may be after the grants under section 42 have been made by the Legislative Assembly, there shall be introduced a Bill to provide for the appropriation out of the Consolidated Fund of the Union territory of all moneys required to meet—

(a) the grants so made by the Legislative Assembly, and

(b) the expenditure charged on the Consolidated Fund of the Union territory of Jammu and Kashmir but not exceeding in any case the amount shown in the statement previously laid before the Assembly.

(2) No amendment shall be proposed to any such Bill in the Legislative Assembly which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the Union territory of Jammu and Kashmir and the decision of the person presiding as to whether an amendment is inadmissible under this sub-section shall be final.

(3) Subject to the other provisions of this Act, no money shall be withdrawn from the Consolidated Fund of the Union territory except under appropriation made by law passed in accordance with the provisions of this section.

44. Supplementary, additional or excess grants.—(1) The Lieutenant Governor shall—

(a) if the amount authorised by any law made in accordance with the provisions of section 43 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year or when a need has arisen during the current financial year for supplementary or additional expenditure upon some new service not contemplated in the annual financial statement for that year, or

(b) if any money has been spent on any service during a financial year in excess of the amount granted for that service and for that year,

cause to be laid before the Legislative Assembly, another statement showing the estimated amount of that expenditure or cause to be presented to the Legislative Assembly with such previous approval a demand for such excess, as the case may be.

(2) The provisions of sections 41, 42 and 43 shall have effect in relation to any such statement and expenditure or demand and also to any law to be made authorising the appropriation of moneys out of the Consolidated Fund of the Union territory of Jammu and Kashmir to meet such expenditure or the grant in respect of such demand as they have effect in relation to the annual financial statement and the expenditure mentioned therein or to a demand for a grant and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of the Union territory of Jammu and Kashmir to meet such expenditure or grant.

45. Votes on account.—(1) Notwithstanding anything in the foregoing provisions of this Part, the Legislative Assembly shall have power to make any grant in advance in respect of the estimated expenditure for a part of any financial year pending the completion of the procedure prescribed in section 42 for the voting of such grant and the passing of the law in accordance with the provisions of section 43 in relation to that expenditure and the Legislative Assembly shall have power to authorise by law the withdrawal of moneys from the Consolidated Fund of the Union territory of Jammu and Kashmir for the purposes for which the said grant is made.

(2) The provisions of sections 42 and 43 shall have effect in relation to the making of any grant under sub-section (1) or to any law to be made under that sub-section as they have effect in relation to the making of a grant with regard to any expenditure mentioned in the annual financial statement and the law to be made for the authorisation of appropriation of moneys out of the Consolidated Fund of the Union territory of Jammu and Kashmir to meet such expenditure.

46. Rules of procedure.—(1) The Legislative Assembly may make rules for regulating, subject to the provisions of this Act, its procedure and the conduct of its business:

Provided that the Lieutenant Governor shall, after consultation with the Speaker of the Legislative Assembly, make rules—

(a) for securing the timely completion of financial business;

(b) for regulating the procedure of, and the conduct of business in, the Legislative Assembly in relation to any financial matter or to any Bill for the appropriation of moneys out of the Consolidated Fund of the Union territory of Jammu and Kashmir;

(c) for prohibiting the discussion of, or the asking of questions on, any matter which affects the discharge of the functions of the Lieutenant Governor in so far as he is required by this Act to act in his discretion.

(2) Until rules are made under sub-section (1), the rules of procedure and standing orders in force immediately before the commencement of this Act, with respect to the Legislative Assembly of the existing State of Jammu and Kashmir shall have effect in relation to the Legislative Assembly of the

Union territory of Jammu and Kashmir subject to such modifications and adaptations as may be made therein by the Speaker of Legislative Assembly.

47. Official language or languages of Union territory of Jammu and Kashmir and language or languages to be used in Legislative Assembly thereof.—(1) The Legislative Assembly may by law adopt any one or more of the languages in use in the Union territory of Jammu and Kashmir or Hindi as the official language or languages to be used for all or any of the official purposes of the Union territory of Jammu and Kashmir.

(2) The business in the Legislative Assembly of the Union territory of Jammu and Kashmir shall be transacted in the official language or languages of the Union territory of Jammu and Kashmir or in Hindi or in English:

Provided that the Speaker of the Legislative Assembly or person acting as such, as the case may be, may permit any member who cannot adequately express himself in any of the languages aforesaid to address the Legislative Assembly in his mother tongue.

48. Language to be used for Acts, Bills, etc.—Notwithstanding anything contained in section 47, until Parliament by law otherwise provides, the authoritative texts—

(a) of all Bills to be introduced or amendments thereto to be moved in the Legislative Assembly,

(b) of all Acts passed by the Legislative Assembly, and

(c) of all orders, rules, regulations and bye-laws issued under any law made by the Legislative Assembly,

shall be in the English language:

Provided that where the Legislative Assembly has prescribed any language other than the English language for use in Bills introduced in, or Acts passed by, the Legislative Assembly or in any order, rule, regulation or bye-law issued under any law made by the Legislative Assembly of the Union territory of Jammu and Kashmir, a translation of the same in the English language published under the authority of the Lieutenant Governor in the Official Gazette shall be deemed to be the authoritative text thereof in the English language.

49. Restriction on discussion in the Legislative Assembly.—No discussion shall take place in the Legislative Assembly with respect to the conduct of any judge of the Supreme Court or of a High Court in the discharge of his duties.

50. Courts not to inquire into proceedings of Legislative Assembly.—(1) The validity of any proceedings in the Legislative Assembly shall not be called in question on the ground of any alleged irregularity of procedure.

(2) No officer or member of the Legislative Assembly in whom powers are vested by or under this Act for regulating procedure or the conduct of business, or for maintaining order in the Legislative Assembly shall be subject to the jurisdiction of any court in respect of the exercise by him of those powers.

51. Secretariat of the Legislative Assembly.—(1) The Legislative Assembly shall have a separate secretariat staff.

(2) The Legislative Assembly may by law regulate the recruitment, and the conditions of service of persons appointed, to the secretarial staff of the Legislative Assembly.

(3) Until provision is made by the Legislative Assembly under sub-section (2), the Lieutenant Governor may, after consultation with the Speaker of the Legislative Assembly make rules regulating the recruitment, and the conditions of service of persons appointed, to the secretarial staff of the Assembly and any rules so made shall have effect subject to the provisions of any law made under the said sub-section.

52. Power of Lieutenant Governor to promulgate Ordinances during recess of Legislative Assembly.—If at any time, except when the Legislative Assembly is in session, the Lieutenant Governor thereof is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require:

Provided that the power of making an Ordinance under this section shall extend only to those matters with respect to which the Legislative Assembly has power to make laws.

(2) An Ordinance promulgated under this section shall have the same force and effect as an Act of the Legislative Assembly assented by the Lieutenant Governor but every such Ordinance—

(a) Shall be laid before the Legislative Assembly and shall cease to operate at the expiration of six weeks from the re-assembly of the Legislative Assembly, or if before the expiration of that period a resolution disapproving it is passed by the Legislative Assembly; and

(b) May be withdrawn at any time by the Lieutenant Governor.

Council of Ministers for the Union territory of Jammu and Kashmir

53. Council of Ministers.—(1) There shall be a Council of Ministers consisting of not more than ten per cent. of the total number of members in the Legislative Assembly, with the Chief Minister at the head to aid and advise the Lieutenant Governor in the exercise of his functions in relation to matters with respect to which the Legislative Assembly has power to make laws except in so far as he is required by or under this Act to act in his discretion or by or under any law to exercise any judicial or quasi-judicial functions.

(2) The Lieutenant Governor shall, in the exercise of his functions, act in his discretion in a matter:

(i) which falls outside the purview of the powers conferred on the Legislative Assembly; or

(ii) in which he is required by or under any law to act in his discretion or to exercise any judicial functions; or

(iii) related to All India Services and Anti Corruption Bureau:

Provided that if any question arises whether any matter is or is not a matter as respects which the Lieutenant Governor is by or under this Act required to act in his discretion, the decision of the Lieutenant Governor in his discretion shall be final, and the validity of anything done by the Lieutenant Governor shall not be called in question on the ground that he ought or ought not to have acted in his discretion.

(3) The question whether any, and if so what, advice was tendered by Ministers to the Lieutenant Governor shall not be inquired into in any court.

54. Other provisions as to Ministers.—(1) The Chief Minister shall be appointed by the Lieutenant Governor and the other Ministers shall be appointed by the Lieutenant Governor on the advice of the Chief Minister.

(2) The Ministers shall hold office during the pleasure of the Lieutenant Governor.

(3) The Council of Ministers shall be collectively responsible to the Legislative Assembly.

(4) Before a Minister enters upon his office, the Lieutenant Governor shall administer to him the oaths of office and of secrecy according to the forms set out for the purpose in the Fourth Schedule to this Act.

(5) A Minister who for any period of six consecutive months is not a member of the Legislative Assembly shall at the expiration of that period cease to be a Minister.

(6) The salaries and allowances of Ministers shall be such as the Legislative Assembly may from time to time by law determine, and until the Legislative Assembly so determines, shall be determined by the Lieutenant Governor.

55. Conduct of business.—(1) The Lieutenant Governor shall make rules on the advice of the Council of Ministers—

(a) for the allocation of business to the Ministers; and

(b) for the more convenient transaction of business with the Ministers including the procedure to be adopted in case of a difference of opinion between the Lieutenant Governor and the Council of Ministers or a Minister.

(2) Save as otherwise provided in this Act, all executive action of the Lieutenant Governor, whether taken on the advice of his Ministers or otherwise, shall be expressed to be taken in the name of the Lieutenant Governor.

(3) Orders and other instruments made and executed in the name of the Lieutenant Governor, shall be authenticated in such manner as may be specified in rules to be made by the Lieutenant Governor on the advice of Council of Ministers, and the validity of an order or instrument which is so authenticated shall not be called in question on the ground that it is not an order or instrument made or executed by the Lieutenant Governor.

56. Duties of Chief Minister as respects the furnishing of information to the Lieutenant Governor, etc.—It shall be the duty of the Chief Minister—

(a) to communicate to the Lieutenant Governor all decisions of the Council of Ministers relating to the administration of the affairs of the Union territory and proposals for legislation;

(b) to furnish such information relating to the administration of the affairs of the Union territory and proposals for legislation as Lieutenant Governor may call for.

Legislative Council

57. Abolition of Legislative Council of the State of Jammu and Kashmir.—(1) Notwithstanding anything to the contrary contained in any law, document, judgment, ordinance, rule, regulation or notification, on and from the appointed day, the Legislative Council of the existing State of Jammu and Kashmir shall stand abolished.

(2) On the abolition of the Legislative Council, every member thereof shall cease to be such member.

(3) All Bills pending in the Legislative Council immediately before the appointed day shall lapse on the abolition of the Council.

PART IV

ADMINISTRATION OF UNION TERRITORY OF LADAKH

58. Appointment of Lieutenant Governor of Union territory of Ladakh.—(1) The Union territory of Ladakh will be administered by the President acting, to such extent as he thinks fit, through a Lieutenant Governor to be appointed by him under article 239.

(2) The President may make regulations for the peace, progress and good government of the Union territory of Ladakh under article 240 of the Constitution of India.

(3) Any regulation so made may repeal or amend any Act made by Parliament or any other law which is for the time being applicable to the Union territory of Ladakh and, when promulgated by the President, shall have the same force and effect as an Act of Parliament which applies to the Union territory of Ladakh.

(4) The Lieutenant Governor shall be assisted by advisor(s) to be appointed by the Central Government.

PART V

DELIMITATION OF CONSTITUENCIES

59. Definitions.—In this Part, unless the context otherwise requires,—

(a) “associate member” means a member associated with the Delimitation Commission under section 60;

(b) “Delimitation Commission” means the Delimitation Commission to be constituted under section 3 of the Delimitation Act, 2002 (33 of 2002); and thereafter by any law made by the Parliament.

(c) “Election Commission” means the Election Commission appointed by the President under article 324 of the Constitution of India;

(d) “latest census figures” mean the census figures ascertained at the latest census of which the finally published figures are available;

(e) “Parliamentary Constituency” means a constituency provided by law for the purpose of elections to the House of the People from Union territory of Jammu and Kashmir and Union territory of Ladakh.

(f) “Assembly Constituency” means a constituency provided by law for the purpose of elections to the Legislative Assembly.

60. Delimitation of constituencies.—(1) Without prejudice to sub-sections (3) of section 14 of this Act, the number of seats in the Legislative Assembly of Union territory of Jammu and Kashmir shall be increased from 107 to 114, and delimitation of the constituencies may be determined by the Election Commission in the manner hereinafter provided—

(a) the number of seats to be reserved for the Scheduled Castes and the Scheduled Tribes in the Legislative Assembly, having regard to the relevant provisions of the Constitution;

(b) the assembly constituencies into which the Union territory shall be divided, the extent of each of such constituencies and in which of them seats shall be reserved for the Scheduled Castes or for the Scheduled Tribes; and

(c) the adjustments in the boundaries and description of the extent of the parliamentary constituencies in each Union territory that may be necessary or expedient.

(2) In determining the matters referred to in clauses (b) and (c) of sub-section (1), the Election Commission shall have regard to the following provisions, namely:—

(a) all the constituencies shall be single-member constituencies;

(b) all constituencies shall, as far as practicable, be geographically compact areas, and in delimiting them, regard shall be had to physical features, existing boundaries of administrative units, facilities of communication and conveniences to the public; and

(c) constituencies in which seats are reserved for the Scheduled Castes and the Scheduled Tribes shall, as far as practicable, be located in areas where the proportion of their population to the total population is the largest.

(3) The Election Commission shall, for the purpose of assisting it in the performance of its functions under sub-section (1), associate with itself as associate members, four persons as the Central Government may by order specify, being persons who are the members of the Legislative Assembly of the Union territory of Jammu and Kashmir or four members of the House of the People representing the Union territory of Jammu and Kashmir:

Provided that none of the associate members shall have a right to vote or to sign any decision of the Election Commission.

(4) If, owing to death or resignation, the office of an associate member falls vacant, it shall be filled as far as practicable, in accordance with the provisions of sub-section (3).

(5) The Election Commission shall—

(a) publish its proposals for the delimitation of constituencies together with the dissenting proposals, if any, of any associate member who desires publication thereof in the Official Gazette and in such other manner as the Commission may consider fit, together with a notice inviting objections and suggestions in relation to the proposals and specifying a date on or after which the proposals will be further considered by it;

(b) consider all objections and suggestions which may have been received by it before the date so specified; and

(c) after considering all objections and suggestions which may have been received by it before the date so specified, determine by one or more orders the delimitation of constituencies and cause such order or orders to be published in the Official Gazette, and there upon such publication, the order or orders shall have the full force of law and shall not be called in question in any court.

(6) As soon as may be after such publication, every such order relating to assembly constituencies shall be laid before the Legislative Assembly of the Union territory of Jammu and Kashmir.

61. Power of Election Commission to maintain Delimitation Orders up-to-date.—(1) The Election Commission may by notification in the Official Gazette,—

(a) correct any printing mistakes in any order made under section 60 or any error arising therein from inadvertent slip or omission; and

(b) where the boundaries or name of any territorial division mentioned in any such order or orders is or are altered, make such amendments as appear to it to be necessary or expedient for bringing such order up-to-date.

(2) Every notification under this section relating to an assembly constituency shall be laid, as soon as may be after it is issued, before the Legislative Assembly.

62. Special provision as to readjustment of Parliamentary and Assembly Constituencies on the basis of 2011 census.—(1) On and from the appointed day, notwithstanding the publication of orders under sub-section (1) of section 10 of the Delimitation Act, 2002 (33 of 2002) or anything contained in sub-section (2) or sub-section (4) of the said section, the Delimitation Act, 2002 shall be deemed to have been amended as provided below:

(a) in section 2, in clause (f), the words “but does not include the State of Jammu and Kashmir” shall be omitted; and

(b) for the purpose of delimitation of Assembly and Parliamentary Constituencies, the words and figures “census held in the year 2001”, wherever occurring, shall be construed as words and figures “census held in the year 2011”.

(2) Readjustment of the constituencies as provided under section 60 in the successor Union territory of Jammu and Kashmir into Assembly Constituencies, shall be carried by the Delimitation Commission, to be constituted under the Delimitation Act, 2002 (33 of 2002) as amended by this Act, and shall take effect from such date as the Central Government may, by order, publish in the Official Gazette, specify.

(3) Readjustment of the constituencies as provided under section 11 in the successor Union territory of Jammu and Kashmir into Parliamentary Constituencies, shall be carried by the Delimitation Commission, to be constituted under the Delimitation Act, 2002 (33 of 2002) as amended by this Act, and shall take effect from such date as the Central Government may, by order, publish in the Official Gazette, specify.

63. Special provisions as to readjustment of Assembly and Parliamentary Constituencies.—Notwithstanding anything contained in sections 59 to 61, until the relevant figures for the first census taken after the year 2026 have been published, it shall not be necessary to readjust the division of successor Union territory of Jammu and Kashmir into Assembly and Parliamentary Constituencies and any reference to the “latest census figures” in this Part shall be construed as a reference to the 2011 census figures.

64. Procedure as to delimitation.—The procedure as provided in the law made by Parliament, shall apply, in relation to the delimitation of Parliamentary and Assembly constituencies under this Part as they apply in relation to the delimitation of Parliamentary and Assembly constituencies under that law.

PART VI

SCHEDULED CASTES AND SCHEDULED TRIBES

65. Applicability of Scheduled Castes Order.—On and from the appointed day, the Constitution Jammu and Kashmir (Scheduled Castes) Order, 1956 [Jammu and Kashmir (Schedule Castes Order, 1956)], shall stand applied to the Union territory of Jammu and Kashmir and Union territory of Ladakh.

66. Applicability of Scheduled Tribes Order.—On and from the appointed day, the Constitution Jammu and Kashmir (Scheduled Tribes) Order, 1989, [Jammu and Kashmir (Scheduled Tribes Order, 1989)] shall stand applied to the Union territory of Jammu and Kashmir and Union territory of Ladakh.

PART VII

MISCELLANEOUS AND TRANSITIONAL PROVISIONS

67. Consolidated Fund of the Union territory of Jammu and Kashmir. —(1) On and from the appointed day, all revenues received in the Union territory of Jammu and Kashmir by the Government of India or the Lieutenant Governor of the Union territory of Jammu and Kashmir in relation to any matter with respect to which the Legislative Assembly of the Union territory of Jammu and Kashmir has power to make laws, and all grants made and all loans advanced to the Union territory of Jammu and Kashmir from the Consolidated Fund of India and all loans raised by the Government of India or the Lieutenant Governor of the Union territory of Jammu and Kashmir upon the security of the Consolidated Fund of the Union territory of Jammu and Kashmir and all moneys received by the Union territory of Jammu and Kashmir in repayment of loans shall form one Consolidated Fund to be entitled “the Consolidated Fund of the Union territory of Jammu and Kashmir”.

(2) No moneys out of such Consolidated Fund shall be appropriated except in accordance with, and for the purposes and in the manner provided in, this Act.

(3) The custody of such Consolidated Fund, the payment of moneys into such Funds, the withdrawal of moneys therefrom and all other matters connected with or ancillary to those matters shall be regulated by rules made by the Lieutenant Governor.

68. Public Account of the Union territory of Jammu and Kashmir and moneys credited to it.—(1) On and from the appointed day, all other public moneys received by or on behalf of the Lieutenant Governor shall be credited to a Public Account entitled “the Public Account of the Union territory of Jammu and Kashmir”.

(2) The custody of public moneys, other than those credited to the Consolidated Fund of the Union territory or the Contingency Fund of the Union territory of Jammu and Kashmir, received by or on behalf of the Lieutenant Governor, their payment into the Public Accounts of the Union territory of Jammu and Kashmir and the withdrawal of moneys from such account and all other matters connected

with or ancillary to the aforesaid matters shall be regulated by rules made by the Lieutenant Governor on the advice of Council of Ministers.

69. Contingency Fund of Union territory of Jammu and Kashmir.—(1) There shall be established a Contingency Fund in the nature of an imprest to be entitled “the Contingency Fund of the Union territory of Jammu and Kashmir”, into which shall be paid from and out of the Consolidated Fund of the Union territory of Jammu and Kashmir such sums as may, from time to time, be determined by law made by the Legislative Assembly of the Union territory of Jammu and Kashmir; and the said Fund shall be held by the Lieutenant Governor to enable advances to be made by him out of such Fund.

(2) No advances shall be made out of the Contingency Fund of the Union territory of Jammu and Kashmir except for the purposes of meeting unforeseen expenditure pending authorisation of such expenditure by the Legislative Assembly under appropriations made by law.

(3) The Lieutenant Governor on the advice of the Council of Ministers may make rules regulating all matters connected with or ancillary to the custody of, the payment of moneys into, and the withdrawal of moneys from, the Contingency Fund of the Union territory of Jammu and Kashmir.

70. Borrowing upon the security of Consolidated Fund of Union territory of Jammu and Kashmir.—(1) The executive power of the Union territory extends to borrowing upon the security of the Consolidated Fund of the Union territory of Jammu and Kashmir within such limits, if any, as may, from time to time, be fixed by Legislative Assembly by law and to the giving of guarantees within such limits, if any, as may be so fixed.

(2) Any sums required for the purpose of invoking a guarantee shall be charged on the Consolidated Fund of the Union territory of Jammu and Kashmir.

71. Form of accounts of the Union territory of Jammu and Kashmir.—The accounts of the Union territory of Jammu and Kashmir shall be kept in such form as the Lieutenant Governor may, after obtaining advice of the Comptroller and Auditor-General of India, prescribe by rules.

72. Audit reports.—The reports of the Comptroller and Auditor-General of India relating to the accounts of Union territory of Jammu and Kashmir for any period subsequent to the date referred to in sub-section (1) of section 67 shall be submitted to the Lieutenant Governor who shall cause them to be laid before the Legislative Assembly.

73. Provision in case of failure of constitutional machinery.—If the President, on receipt of a report from the Lieutenant Governor of Union territory of Jammu and Kashmir, or otherwise, is satisfied,—

(a) that a situation has arisen in which the administration of the Union territory of Jammu and Kashmir cannot be carried on in accordance with the provisions of this Act, or

(b) that for the proper administration of Union territory of Jammu and Kashmir it is necessary or expedient so to do,

the President may, by order, suspend the operation of all or any of the provisions of this Act for such period as he thinks fit and make such incidental and consequential provisions as may appear to him to be necessary or expedient for administering the Union territory of Jammu and Kashmir in accordance with the provisions of this Act.

74. Authorisation of expenditure by President.—Where the Legislative Assembly is dissolved, or its functioning as such Assembly remains suspended, on account of an order under section 73, it shall be competent for the President to authorise, when the House of the People is not in Session, expenditure from the Consolidated Fund of the Union territory of Jammu and Kashmir pending the sanction of such expenditure by Parliament.

PART VIII
HIGH COURT

75. High Court of Jammu and Kashmir to be common High Court.—(1) On and from the appointed day,—

(a) the High Court of Jammu and Kashmir shall be the common High Court for the Union territory of Jammu and Kashmir and Union territory of Ladakh;

(b) the Judges of the High Court of Jammu and Kashmir for the existing State of Jammu and Kashmir holding office immediately before the appointed day shall become on that day the Judges of the common High Court.

(2) The expenditure in respect of salaries and allowances of the Judges of the common High Court shall be allocated amongst the Union territory of Jammu and Kashmir and Union territory of Ladakh on the basis of population ratio.

76. Special provision relating to Bar Council and advocates.—(1) On and from the date referred to in sub-section (1) of section 75, in the Advocates Act, 1961 (25 of 1961), in section 3, in sub-section (1),—

(a) in clause (a), the words “Jammu and Kashmir” shall be deleted.

(b) after clause (f), the following clause shall be inserted, namely—

-(g)- for the Union territory of Jammu and Kashmir and Union territory of Ladakh, to be known as the Bar Council of Jammu and Kashmir; and Ladakh.

(2) Any person who immediately before the date referred to in sub-section (1) of section 75 is an advocate on the roll of the Bar Council of the existing State of Jammu and Kashmir and practising as an advocate in the High Court of Jammu and Kashmir, may continue to be members of the “Bar council of Jammu and Kashmir; and Ladakh”, notwithstanding anything contained in the Advocates Act, 1961 and the rules made thereunder.

(3) The persons other than the advocates who are entitled immediately before the date referred to in sub-section (1) of section 75, on and after that date, be recognised as such persons entitled also to practise in the common High Court of Jammu and Kashmir or any subordinate court thereof, as the case may be.

(4) The right of audience in the common High Court of Jammu and Kashmir shall be regulated in accordance with the like principles as immediately before the date referred to in sub-section (1) of section 75, are in force with respect to the right of audience in the High Court of Jammu and Kashmir.

77. Practice and procedure in common High Court of Jammu and Kashmir.—Subject to the provisions of this Part, the law in force immediately before the date referred to in sub-section (1) of section 75 with respect to practice and procedure in the High Court of Jammu and Kashmir shall, with the necessary modifications, apply in relation to the common High Court of Jammu and Kashmir and accordingly, the common High Court of Jammu and Kashmir shall have all such powers to make rules and orders with respect to practice and procedure as are immediately before that date exercisable by the common High Court of Jammu and Kashmir:

Provided that any rules or orders which are in force immediately before the date referred to in sub-section (1) of section 75 with respect to practice and procedure in the High Court of Jammu and Kashmir shall, until varied or revoked by rules or orders made by the common High Court of Jammu and Kashmir, apply with the necessary modifications in relation to practice and procedure in the common High Court of Jammu and Kashmir as if made by that Court.

78. Savings.—Nothing in this Part shall affect the application to the common High Court of Jammu and Kashmir of any provisions of the Constitution, and this Part shall have effect subject to any provision that may be made on or after the date referred to in sub-section (1) of section 75 with respect to the common High Court of Jammu and Kashmir by any Legislature or other authority having power to make such provision.

PART IX

ADVOCATE-GENERAL OF UNION TERRITORY OF JAMMU AND KASHMIR

79. Advocate General for Union territory of Jammu and Kashmir.—(1) The Lieutenant Governor shall appoint a person who is qualified to be appointed a Judge of the High Court, to be Advocate-General for the Union territory of Jammu and Kashmir.

(2) It shall be the duty of such Advocate-General to give advice to the Government of such Union territory upon such legal matters and to perform such other duties of a legal character, as may from time to time be referred or assigned to him by the said Government, and to discharge the functions conferred on him by or under the Constitution or any other law for the time being in force.

(3) In the performance of his duties, the Advocate-General shall have the right of audience in all courts in the Union territory of Jammu and Kashmir.

(4) The Advocate-General shall hold office during the pleasure of the Lieutenant Governor and receive such remuneration as the Lieutenant Governor may determine.

PART X

AUTHORISATION OF EXPENDITURE AND DISTRIBUTION OF REVENUES

80. Authorisation of expenditure of Union territory of Jammu and Kashmir.—The Governor of existing State of Jammu and Kashmir may, at any time before the appointed day, authorise such expenditure from the Consolidated Fund of the Union territory of Jammu and Kashmir as he deems necessary for any period not more than six months beginning with the appointed day pending the sanction of such expenditure by the Legislative Assembly of the Union territory of Jammu and Kashmir:

Provided that the Lieutenant Governor of Union territory of Jammu and Kashmir may, after the appointed day, authorise such further expenditure as he deems necessary from the Consolidated Fund of the Union territory of Jammu and Kashmir for any period not extending beyond the said period of six months.

81. Authorisation of expenditure of Union territory of Ladakh.—The Governor of existing State of Jammu and Kashmir may, at any time before the appointed day, authorise such expenditure from the Consolidated Fund of Union territory of Jammu and Kashmir as he deems necessary for any period not more than six months beginning with the appointed day pending the sanction of such expenditure by the Parliament:

Provided that the President may, after the appointed day, authorise such further expenditure as he deems necessary from the Consolidated Fund of India for any period not extending beyond the said period of six months.

82. Reports relating to accounts of Jammu and Kashmir State.—(1) The reports of the Comptroller and Auditor-General of India referred to in clause (2) of article 151 relating to the accounts of the existing State of Jammu and Kashmir in respect of any period prior to the appointed day shall be submitted to the Lieutenant Governors of the successor Union territory of Jammu and Kashmir, and Union territory of Ladakh.

(2) The Lieutenant Governor of Jammu and Kashmir, thereafter shall cause the reports to be laid before the Legislature of the Union territory of Jammu and Kashmir.

(3) The Lieutenant Governor of Jammu and Kashmir may by order—

(a) declare any expenditure incurred out of the Consolidated Fund of Jammu and Kashmir on any service in respect of any period prior to the appointed day during the financial year or in respect of any earlier financial year in excess of the amount granted for that service and for that year as disclosed in the reports referred to in sub-section (1) to have been duly authorised; and

(b) provide for any action to be taken on any matter arising out of the said reports.

83. Distribution of revenue.—(1) The award made by the Fourteenth Finance Commission to the existing State of Jammu and Kashmir shall be apportioned between the successor Union territory of Jammu and Kashmir; and Union territory of Ladakh by the Central Government on the basis of population ratio and other parameters:

Provided that on the appointed day, the President shall make a reference to the Union territories Finance Commission to take into account the resources available to the successor Union territories of Ladakh and make separate award for the successor Union territory of Ladakh:

Provided further that on the appointed day, the President shall make a reference to the Fifteenth Finance Commission to include Union territory of Jammu and Kashmir in its Terms of Reference and make award for the successor Union territory of Jammu and Kashmir.

(2) Notwithstanding anything in sub-section (1), the Central Government may, having regard to the resources available to the successor Union territory of Ladakh make appropriate grants and also ensure that adequate benefits and incentives in the form of special development package are given to the backward areas of this region.

PART XI

APPORTIONMENT OF ASSETS AND LIABILITIES

84. Application of this Part.—(1) The provisions of this Part shall apply in relation to the apportionment of the assets and liabilities of the existing State of Jammu and Kashmir immediately before the appointed day, between the successor Union territory of Jammu and Kashmir and successor Union territory of Ladakh.

(2) The apportionment of the assets and liabilities of the existing State of Jammu and Kashmir shall be subject to the recommendations of a committee constituted by the Central Government.

(3) The process of apportionment shall be completed within a period of twelve months from the appointed day.

PART XII

PROVISIONS AS TO CERTAIN CORPORATIONS AND ANY OTHER MATTERS

85. Advisory Committee(s).—(1) The Central Government may by order, establish one or more Advisory Committees within a period of 90 days from the appointed day, for the purposes of:

(a) apportionment of assets, rights and liabilities of the companies and corporations constituted for the existing State of Jammu and Kashmir between Union territory of Jammu and Kashmir and Union territory of Ladakh;

(b) issues relating to Continuance of arrangements in regard to generation and supply of electric power and supply of water;

(c) issues related to Jammu and Kashmir State Financial Corporation;

(d) issues related to Companies constituted for the existing state of Jammu and Kashmir regarding the division of the interests and shares and reconstitution of Board of Directors;

(e) issues related to facilities in certain State Institutions; and

(f) issues related to any other matters not covered under this section.

(2) The committees so appointed under sub-section (1) of this section, shall submit their reports

within six months to the Lieutenant Governor of Union territory of Jammu and Kashmir, who shall act on the recommendations of such committees within a period of 30 days from the date of receiving such reports.

86. Temporary provisions as to continuance of certain existing road transport permits.— (1) Notwithstanding anything contained in section 88 of the Motor Vehicles Act, 1988 (59 of 1988), a permit granted by the State Transport Authority of the existing State of Jammu and Kashmir or any Regional Transport Authority in that State shall, if such permit was, immediately before the appointed day, valid and effective in any area in the transferred territory, be deemed to continue to be valid and effective in that area after that day till its period of validity subject to the provisions of that Act as for the time being in force in that area; and it shall not be necessary for any such permit to be countersigned by the Transport Authority of any of Union territory or any Regional Transport Authority therein for the purpose of validating it for use in such area:

Provided that the Lieutenant Governor may add to amend or vary the conditions attached to the permit by the Authority by which the permit was granted.

(2) No tolls, entrance fees or other charges of a like nature shall be levied after the appointed day in respect of any transport vehicle for its operations in any of the successor Union territories under any such permit, if such vehicle was, immediately before that day, exempt from the payment of any such toll, entrance fees or other charges for its operations in the transferred territory:

Provided that the Central Government may, after consultation with the Government of Union territory of Jammu and Kashmir or the administration of Union territory of Ladakh, as the case may be, authorise the levy of any such toll, entrance fees or other charges, as the case may be:

Provided further that the provisions of this sub-section shall not be applicable where any such tolls, entrance fees or other charges of a like nature are leviable for the use of any road or bridge which is constructed or developed for commercial purpose by the State Government, an undertaking of the State Government, a joint undertaking in which the State Government is a shareholder or the private sector.

87. Special provision as to income-tax.—Where the assets, rights and liabilities of any body corporate carrying on business are, under the provisions of this Part, transferred to any other bodies corporate which after the transfer carry on the same business, the losses or profits or gains sustained by the body corporate first-mentioned which, but for such transfer, would have been allowed to be carried forward and set off in accordance with the provisions of Chapter VI of the Income-tax Act, 1961 (43 of 1961), shall be apportioned amongst the transferee bodies corporate in accordance with the rules to be made by the Central Government in this behalf and, upon such apportionment, the share of loss allotted to each transferee body corporate shall be dealt with in accordance with the provisions of Chapter VI of the said Act, as if the transferee body corporate had itself sustained such loss in a business carried on by it in the years in which those losses were sustained.

PART XIII

PROVISIONS AS TO SERVICES

88. Provisions relating to All India Services.—(1) In this section, the expression “State cadre”

(a) in relation to the Indian Administrative Service, has the same meaning assigned to it in the Indian Administrative Service (Cadre) Rules, 1954 [IAS (cadre) rules, 1954];

(b) in relation to the Indian Police Service, has the same meaning assigned to it in the Indian Police Service (Cadre) Rules, 1954 [IPS (cadre) rules, 1954]; and

(c) in relation to the Indian Forest Service, has the same meaning assigned to it in the Indian Forest Service (Cadre) Rules, 1966 [IFS (cadre) rules, 1954].

(2) The members of the cadres of Indian Administrative Service, Indian Police Service and Indian Forest Service for the existing State of Jammu and Kashmir, on and from the appointed day, shall

continue to function on the existing cadres.

(3) The provisional strength, composition and allocation of officers currently borne on the existing cadre of Jammu and Kashmir to the Union territory of Jammu and Kashmir and Union territory of Ladakh, as referred to in sub-section (2) shall be such as the Lieutenant Governor of Union territory of Jammu and Kashmir may, by order, determine on or after the appointed day.

(4) The members of each of the said services, currently borne on the Jammu and Kashmir cadre immediately before the appointed day shall be finally allocated between the successor Union territory of Jammu and Kashmir and Union territory of Ladakh, in such manner and with effect from such date or dates as the Central Government may, by order, specify on the recommendation of Lieutenant Governors of Union territory of Jammu and Kashmir; and Union territory of Ladakh.

(5) The Officers so allocated to both the Union Territories shall function within these Union Territories, in accordance with the rules framed by the Central Government.

(6) In future, the All India Service officers to be posted to Union territory of Jammu and Kashmir or Union territory of Ladakh, as the case may be, shall be borne on the Arunachal Goa Mizoram Union territory cadre, and necessary modifications in corresponding cadre allocations rules may be made accordingly, by the Central Government.

89. Provisions relating to other services.—(1) Every person who immediately before the appointed day is serving on substantive basis in connection with the affairs of the existing State of Jammu and Kashmir shall, on and from that day provisionally continue to serve in connection with the affairs of the Union territory of Jammu and Kashmir and Union territory of Ladakh, by general or special order of the Lieutenant Governor of Union territory of Jammu and Kashmir:

Provided that every direction under this sub-section issued after the expiry of a period of one year from the appointed day shall be issued with the consultation of the Government or Administration of the successor Union territories, as the case may be.

(2) As soon as may be after the appointed day, the Lieutenant Governor of Jammu and Kashmir shall, by general or special order, determine the successor Union territory to which every person referred to in sub-section (1) shall be finally allotted for service, after consideration of option received by seeking option from the employees, and the date with effect from which such allotment shall take effect or be deemed to have taken effect:

Provided that even after the allocation has been made, Lieutenant Governor of Union territory of Jammu and Kashmir may in order to meet any deficiency in the service, depute officers from one successor Union territory to the other Union territory.

(3) Every person who is finally allotted under the provisions of sub-section (2) to a successor Union territory shall, if he is not already serving therein, be made available for serving in the successor Union territory from such date as may be agreed upon between the Government of the successor Union territory of Jammu and Kashmir and Administration of Union territory of Ladakh, or, in default of such agreement, as may be determined by the Central Government:

Provided that the Central Government shall have the power to review any of its orders issued under this section.

90. Other provisions relating to services.—(1) Nothing in this section or in section 89 shall be deemed to affect, on or after the appointed day, the operation of the provisions of Chapter I of Part XIV of the Constitution in relation to determination of the conditions of service of persons serving in connection with the affairs of the Union or any Union territory:

Provided that the conditions of service applicable immediately before the appointed day in the case of any person deemed to have been allocated to the Union territory of Jammu and Kashmir or Union territory of Ladakh under section 89 shall not be varied to his disadvantage except with the previous approval of the Lieutenant Governor.

(2) All services prior to the appointed day rendered by a person,—

(a) if he is deemed to have been allocated to any Union territory under section 89, shall be deemed to have been rendered in connection with the affairs of that Union territory;

(b) if he is deemed to have been allocated to the Union in connection with the administration of the successor Union territory, shall be deemed to have been rendered in connection with the affairs of the Union, for the purposes of the rules regulating his conditions of service.

(3) The provisions of section 89 shall not apply in relation to members of any All-India Service.

91. Provisions as to continuance of officers in same post.—Every person who, immediately before the appointed day, is holding or discharging the duties of any post or office in connection with the affairs of the existing State of Jammu and Kashmir in any area which on that day falls within one of the successor Union territory shall continue to hold the same post or office in that successor Union territory, and shall be deemed, on and from that day, to have been duly appointed to the post or office by the Government of, or other appropriate authority in, that successor Union territory:

Provided that nothing in this section shall be deemed to prevent a competent authority, on and from the appointed day, from passing in relation to such person any order affecting the continuance in such post or office.

92. Provision for employees of Public Sector Undertakings, etc.—On and from the appointed day, the employees of State Public Sector Undertakings, corporations and other autonomous bodies shall continue to function in such undertaking, corporation or autonomous bodies for a period of one year and during this period the corporate body concerned shall determine the modalities for distributing the personnel between the successor Union territories.

93. Provisions as to State Public Service Commission.—(1) The Public Service Commission for the existing State of Jammu and Kashmir shall, on and from the appointed day, be the Public Service Commission for the Union territory of Jammu and Kashmir.

(2) The Union Public Service Commission, with the approval of the President, shall serve the needs of the Union territory of Ladakh.

(3) The persons holding office immediately before the appointed day as the Chairman or other member of the Public Service Commission for the existing State of Jammu and Kashmir shall, as from the appointed day, be the Chairman or, as the case may be, the other member of the Public Service Commission for the Union territory of Jammu and Kashmir.

(4) Every person who becomes the Chairman or other member of the Public Service Commission for the Union territory of Jammu and Kashmir on the appointed day under sub-section (3) shall be entitled to receive from the Government of the Union territory of Jammu and Kashmir, conditions of service not less favourable than those to which he was entitled under the provisions applicable to him.

(5) The report of the Jammu and Kashmir Public Service Commission as to the work done by the Commission in respect of any period prior to the appointed day shall be presented to the Lieutenant Governor of the Union territory of Jammu and Kashmir, and the Lieutenant Governor of the Union territory of Jammu and Kashmir shall, on receipt of such report, cause a copy thereof together with a memorandum explaining as far as possible, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the Union territory of Jammu and Kashmir.

PART XIV

LEGAL AND MISCELLANEOUS PROVISIONS

94. Amendment of section 15 of Act 37 of 1956.—On and from the appointed day, in section 15 of the States Reorganisation Act, 1956, in clause (a), for the words “Jammu and Kashmir” the words “Union territory of Jammu and Kashmir and Union territory of Ladakh” shall be substituted.

95. Territorial extent of laws.— (1) All Central laws in Table-1 of the Fifth Schedule to this Act, on and from the appointed day, shall apply in the manner as provided therein, to the Union territory of Jammu and Kashmir and Union territory of Ladakh.

(2) All other laws in Fifth Schedule, applicable to existing State of Jammu and Kashmir immediately before the appointed day, shall apply in the manner as provided therein, to the Union territory of Jammu and Kashmir and Union territory of Ladakh.

96. Power to adapt laws.—For the purpose of facilitating the application in relation to the successor Union territories, of any law made before the appointed day, as detailed in Fifth Schedule to this Act, the Central Government may, before the expiration of one year from that day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

97. Power to construe laws.—Notwithstanding that no provision or insufficient provision has been made under section 96 for the adaptation of a law made before the appointed day, any court, tribunal or authority, required or empowered to enforce such law may, for the purpose of facilitating its application in relation to the Union territory of Jammu and Kashmir or Union territory of Ladakh, construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

98. Power to name authorities, etc., for exercising statutory functions.—The Lieutenant Governor, as respects the concerned territory may, by notification in the Official Gazette, specify the authority, officer or person who, on or after the appointed day, shall be competent to exercise such functions exercisable under any law in force on that day as may be mentioned in that notification and such law shall have effect accordingly.

99. Legal proceedings.—Where, immediately before the appointed day, the existing State of Jammu and Kashmir is a party to any legal proceedings with respect to any property, rights or liabilities subject to apportionment among the successor Union territories under this Act, the Union territory of Jammu and Kashmir or the Union territory of Ladakh which succeeds to, or acquires a share in, that property or those rights or liabilities by virtue of any provision of this Act shall be deemed to be substituted for the existing State of Jammu and Kashmir or added as a party to those proceedings, and the proceedings may continue accordingly.

100. Transfer of pending proceedings.—(1) Every proceeding pending immediately before the appointed day before a court (other than High Court), tribunal, authority or officer in any area which on that day falls within the State of Jammu and Kashmir shall, if it is a proceeding relating exclusively to the territory, which as from that day are the territories of any Union territory, stand transferred to the corresponding court, tribunal, authority or officer of that Union territory.

(2) If any question arises as to whether any proceeding should stand transferred under sub-section (1), it shall be referred to the common High Court of Jammu and Kashmir and the decision of that High Court shall be final.

(3) In this section—

(a) proceeding includes any suit, case or appeal; and

(b) corresponding court, tribunal authority or officer in any of Union territory means—

(i) the court, tribunal, authority or officer in which, or before whom, the proceeding would have laid if it had been instituted after the appointed day; or

(ii) in case of doubt, such court, tribunal, authority, or officer in that Union territory, as may be determined after the appointed day by the Government or administration of that Union territory, or the Central Government, as the case may be, or before the appointed day by the Government of the existing State of Jammu and Kashmir to be the corresponding court, tribunal, authority or officer.

101. Right of pleaders to practise in certain cases.—Any person who, immediately before the appointed day, is enrolled as a pleader entitled to practise in any subordinate court in the existing State of Jammu and Kashmir shall, for a period of one year from that day, continue to be entitled to practise in those courts, notwithstanding that the whole or any part of the territories within the jurisdiction of those courts has been transferred to any of the Union territories.

102. Effect of provisions of the Act inconsistent with other laws.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

103. Power to remove difficulties.—(1) If any difficulty arises in giving effect to the provisions of this Act, the President may, by order do anything not inconsistent with such provisions which appears to him to be necessary or expedient for the purpose of removing the difficulty:

Provided that no such order shall be made after the expiry of a period of five years from the appointed day.

(2) Every order made under this section shall be laid before each House of Parliament.

The First Schedule

(See Section 9)

Union territory of Jammu and Kashmir

Members of Council of State

S.No.	Name of the sitting Member	Term
1.	Fayaz Mir Mohammad	11/02/2015 to 10/02/2021
2.	Laway Shri Nazir Ahmed	16/02/2015 to 15/02/2021
3.	Manhas Shri Shamsher Singh	11/02/2015 to 10/02/2021
4.	Ghulam Nabi Azad	16/02/2015 to 15/02/2021

The Second Schedule

[See Section 11(1)]

Amendments to the Delimitation of Parliamentary Constituencies Order, 1976

Union territory of Jammu and Kashmir

Parliamentary Constituencies

S.No.	Name of the Constituency	Extent of Constituency
1.	Baramulla	Baramulla District
2.	Srinagar	Srinagar District
3.	Anantnag	Anantnag District
4.	Udhampur	Udhampur, Doda and Kathua Districts
5.	Jammu	Jammu, Rajouri and Poonch Districts

Union territory of Ladakh

Parliamentary Constituency

S.No.	Name of the Constituency	Extent of Constituency
1.	Ladakh	Ladakh District

Note.— (i) Any reference in this Schedule to a district shall be taken to mean the area comprised within that district on the 1st day of August, 1975.

(ii) As per details included in Delimitation of Parliamentary and Assembly Constituencies Order, 1976 under Articles 81 & 82 of the Constitution of India as applied to the State of Jammu and Kashmir by the Constitution (Application to J&K) Order, 1954 (C.O. 48).

The Third Schedule

[See Section 14(5)]

Amendments to the Delimitation of Assembly Constituencies Order, 1995

Union territory of Jammu and Kashmir

Assembly Constituencies

S No.	Name of the Assembly Constituency	Extent
1	2	3
KUPWARA DISTRICT		
1.	Karnah	All PCs of Tehsil Karnah; PC Keran of Tehsil Kupwara.
2.	Kupwara	PCs 18-Sulakot, 20-Radabug, 22-Bumhama, 23-Drugmulla, 25-Gushi, 26-Batergam, 27-Dadikoot, 30-Gulgam, 31-Harrai, 32-Hayan, 33-Trehgam, 34-Guglose, 35-Kralpora, 36-Guzeryal, 37-Gundizona-Reshi, 38-Panzgam, 39-Meelyal, 40-Shooloora, 41-Dardihairi-Kharagund, 42-Kupwara and P.C. 55-Manzgam in Tehsil Handwara.
3.	Lolab	PCs 1-Harduring, 2-Chontiwari, 3-Machil, 4-Kalaroch, 5-Khumrayal, 6-Kanthpora, 7-Wawoora, 8-Maidanpora, 9-Khurhama, 10-Warnow, 11-Krusan, 12-Sogam, 13-Darapora, 14-Lalpora, 15-Chandigam, 16-Tekipora, 17-Dewar Inderbug, 19-Manigah, 29-Haihama, 45-Dardapora in Kupwara Tehsil.
4.	Handwara	PCs 8-Maidan Chogal, 28-Taratpora, 29-Wilgam, 30-Lilam, 31-Dulipora, 32-Opzawani, 33-Shogapora, 34-Neelipora, 35-Magam, 36-Jagarpora, 39-Behnipora, 40-Rajpora, 41-Zachaldara, 42-Wadder, 43-Turkapora, 44-Chanjimulla, 45-Wadipora, 46-Bhaki Akhar, 47-Batakoot, 48-Braripora, 49-Waripora Gonipora, 50-Nutanoosa, 51-Kandikhas, 52-Handwara; 53- Dhama, 54-Panchakoot in Tehsil Handwara; and 21-Kegam, 28-Nagrimalpora, 24-Najatpora in Tehsil Kupwara.
5.	Langate	PCs 1- Langate, 2-Unusu, 3-Pohrupeth, 4-Glura, 5- Martgam, 6-Hanga, 7-Shanoo, 9-Nowgam, 10-Mawar, 11-Qalamchakla, 12- Adura, 13-Haril, 14-Drangsoo-Shah-Nagri, 15-Udipora, 16- Kralagund, 17-Lokipora, 18-Kichlo Qazipora, 19-Khaipora, 20-Panditpora, 21-Super-Nagam, 22-Ashapora, 23-Safalpora, 24-Kralpora, 25-Deedarpora, 26-Shathgund-Balla, 27-Rawalpora, 37-Wasiakawnar, 38-Lachampora in Tehsil Handwara.
BARAMULLA DISTRICT		
6.	Uri	All PCs in Tehsil Uri.
7.	Rafiabad	PCs 11-Chakloo, 12- Nadihal, 13-Shitloo, 15-Biner Kahdoora in Tehsil Baramulla; and PCs 5-Nowpora Kalan, 8-Watergam, 9-Fidarpora, 10-Handipora, 11-Yarbug, 12-Riban-Ramhama, 13-Ladora, 14-Rehama, 15-Chijahama, 16-Wanpora, 17-Panzalla-Gundabal, 18-Sailkoot, 19-Balhama-Thakanpora, 20-Chatoosa, 21-Dangiwacha, 22-Rawacha, 23-Harduchanam, 24-Bakshipora-Batapora, 25-Zithan, 36- Behrampora, 37-Chitlora, 38- Achabal in Tehsil Sopore.
8.	Sopore	PCs 1-Sopore with NAC, 2-Warapora, 3-Arampora, 4-Dangerpora, 6-Watalab, 32- Seeloo, 33- Botingoo, 34- Mundji, 35-Duroo, 39-Hardu-Shiva, 41-Aadipora-Bomai, 42-Wadoora, 40-Tujar-Pahlihar, 43- Harwan, 44- Zaloor in Tehsil Sopore.

1	2	3
9.	Gurez	All PCs in Tehsil Gurez.
10.	Bandipora	All PCs in Tehsil Bandipora; and PC 1- Ajas of Tehsil Sonawari.
11.	Sonawari	All PCs in Tehsil Sonawari excluding PC 1-Ajas.
12.	Sangrama	PCs 16-Kreeri, 17-Wizar, 18-Authora, 19-Shalakawara, 20-Nowpora-Jagir, 21-Wagoora, 22-Kachumuqam, 24- Manigam, 25-Kalantara-Balla, 26 - Dandmoh, 27- Sultanpora-Kandi in Tehsil Baramulla; and 7-Tarzo, 26-Hygam, 27-Seer-Jagir, 28-Bulagam, 29-Sangrama, 30-Krank-Shivan, 31-Wagub in Tehsil Sopore.
13.	Baramulla	PCs 1- Laridora, 2- Heewan, 30 Malapora, 4-Kich-Hama, 50-Ushkara, 6-Khanpora with NAC, 7-Khaja-Bagh, 8-Taki-Sultan, 9-Khaitangan, 10-Delina, 14-Kansipora, 23- Chandoosa in Tehsil Baramulla.
14.	Gulmarg	All PCs in Teshil Gulmarg; and 2-Wailoo Kralpora, 8-Sriwarpora, 9-Chokar, 10-Waripora-Bangil, 12-Malmoh, 13-Nowlari, 16-Yal in Tehsil Pattan.
15.	Pattan	Tehsil Pattan excluding 2-Wailoo-Kralpora, 8-Sriwarapora, 9-Chokar, 10-Waripora Bangil, 12-Malmoh, 13-Nowlari and 16-Yal.
SRINAGAR DISTRICT		
16.	Kangan	All PCs of Tehsil Kangan; and PCs -Manigam, 2-Wailoo, 3-Nunar in Tehsil Ganderwal.
17.	Ganderbal	Tehsil Ganderbal excluding 1-Manigam, 2-Wailoo, 3-Nunar and P.C. Haran in Srinagar Tehsil.
18.	Hazratbal	Ward 16 in Srinagar Municipality (excluding Municipal areas not falling in Srinagar Tehsil but falling in Ganderbal Tehsil) and PC 9-Bachpora in Tehsil Ganderbal and Wards 17 and 12 except the following Mohallas of Ward 12; Mugal Mohalla, Surateng, Khawjapora, Kocha Nidan, Zindashah and boat population of these wards.
19.	Zadibal	Wards 14 and 15 in Srinagar Municipality and boat population of Anchar and of the ghats of these wards.
20.	Idgah	Wards 8 and 11 in Srinagar Municipality and P.C. 38-Palpura and 41-Sangam in Srinagar Tehsil.
21.	Khanyar	Wards 10-13 of Srinagar Municipality and the following mohallas of Ward 12-Mugal Mohalla, Surateng, Khawjapora, Zindshah and Kocha Nidan and boat population of these wards.
22.	Habbakadal	Wards 7 and 9 in Srinagar Municipality and boat population of Wards 6, 7 and 9.
23.	Amirakadal	Wards 3 and 4 in Srinagar Municipality excluding (i) Natipora (rural), (ii) Rawalpura (rural), (iii) Hyderpora (rural); and excluding Aramwari, Gund Chandal, Stingoo, Sutho Kirther Bagh in Tehsil Chadoora and Watdoor, Galwanpora Laloo and Shesgam Bagh in Tehsil Badgam and boat population of these wards and of Ward 5.
24.	Sonawar	Wards 1 and 2 in Srinagar Municipality and Badamibagh Cantonment and P.C. 21-Chitrahama, 19-Dara, 29-Khunmu, 30-Balhama, 31-Zewan in Tehsil Sringar and boat population of ghats in these wards.
25.	Batamaloo	Wards 5 and 6 in Srinagar Municipality; and PCs 6-Mujgund, 42-Bachipora Tengpora in Srinagar Tehsil.

1	2	3
BUDGAM DISTRICT		
26.	Chadoora	The following Patwar Circles of Tehsil Chadoora, 16-Chadoora, 24-Chattergam, 25-Wagora, 26-Wathura, 27-Khanda, 28-Bugam Batapora, 29-Kralpora, 30-Hayatpora, 31-Pohroo, 32-Rakh Shalina, 33-Bagati Kanipora, 34-Nowgam, 35-Kanihama, 36-Daulatpora, 38-Natipora rural area outside Srinagar Municipal limits in ward 4 and 39-Lasjan and Aramwari, Gund, Chandal Stengoo, Suthoo, Kirtherbagh and 40-Kursu Padshahibagh.
27.	Badgam	PCs 1-Soibugh, 2-Dhrmana, 3-Wahabpora, 4-Arth, 5-Wadwan, 6-Bemina, 7-Pallar, 8-Garriend Kalan, 9-Sholipra, 10-Nassar-ullah-Pora, 11-Jahama, 12-Water-Wani, 28-Chune, 29-Badgam, 30-Ompora, 31-Narkara, 32-Humhama, 35-Karewa Damodar, 36-Gund-Sathu, 37-Ichakoot, 38-Ichgam, 33-Rawalpora (rural), 34-Hyderpora (rural) in Badgam Tehsil.
28.	Beerwah	PCs 1-Suzeth-Gooripora, 2-Kawoosa Khalisa, 3-Kawoosa Jagir, 4-Batapora Kahihama, 5-Sanoor-Kalipora, 6-Hardu Malpora, 7-Bandagam, 8-Utligam, 9-Mula-Shulla, 10-Sonapah, 12-Gondipora, 21-Shanglipora, 22-Khag, 23-Malpora Khag, 24-Himchipora, 25-Lalpora, 26-Beerwah, 27-Chewdara, 28-Peth Mukahama, 29-Rathusun, 30-Bona Makhama, 31-Nagam, 32-Iskanderpora, 33-Aripanthan, 34-Palpora, 36-Hardua-Shorsh in Tehsil Beerwah.
29.	Khansahib	PCs 1-Hokhalatri, 13-Phartahn, 14-Kandoora, 15-Drahg, 16-Sitaharan, 17-Zogikharian, 18-Arizal, 19-Qamroo, 20-Rawalpora-Beerwah; and PC 35- Sail in Tehsil Berwah; and PCs 13-Waterhail, 14-Jawalpora, 15-Sondipora, 16-Dalipora, 17-Yari Khah, 18-Talapora, 19-Parnawah, 20-Drayagram, 21-Frestwar Khasipora, 22-Arigam, 23-Khan Sahib, 24-Raithan, 25-Kachwari, 26-Gurwait Kalan, 27-Falchall in Tehsil Budgam.
30.	Chrar-i-Sharief	PCs 1-Gogji Pathari, 2-Brinjan, 3-Hafroo Batapora, 4-Branawar, 5-Surasyar, 6-Dada-Ompara, 7-Hanjura, 8-Nowpora, 9-Pakharpora, 10-Hardu Dalwan Futlipora, 11-Teelsarah, 12-Chrar-i-Sharief, 13-Watkaloo, 14-Darawan Nowgam, 15-Chtsesn, 17-Nagam, 18-Badipora, 19-Yarikalan, 20-Ropora Namtihal, 21-Kanir, 22-Ranger, 23-Sogam, 37-Nowhar in Tehsil Chadoora.
PULWAMA DISTRICT		
31.	Tral	All PCs in Tehsil Tral.
32.	Pampore	All PCs in Tehsil Pampore and Patwar Circles 26-Awantipora, 27-Padgampora, 29-Lilhar, 46-Nihama, 47-Kakapora in Tehsil Pulwama.
33.	Pulwama	PCs 1-Inder, 2-Gangoo, 5-Pulwama with NAC, 9-Ratnipora, 10-Pahoo, 11-Trich, 12-Koil, 13-Pinglina, 14-Narwa, 17-Litter-Shistar, 18-Nayina, 19-Panzgam, 20-Dogripora, 21-Rishipora, 22-Laderpur, 23-Nownagri, 24-Tokna, 25-Malangpora, 28-Lajoor, 40-Palapora, 45-Newa, 48-Jagir Parigam, 49-Tumchi Nowpora, 50-Hakripora in Tehsil Pulwama.
34.	Rajpora	PCs 3-Karimabad, 4-Moran, 6-Kangan, 7-Wahibugh, 8-Gosoo, 15-Bonarah, 16-Trichal, 30-Ramoo, 31-Billowdergund, 32-Qasbayar, 33-Drubgam, 34-Mitrigam, 35-Abhama, 36-Trujan, 37-Khaigam, 38-Noorpora Payeen, 39-Arihal, 41-Tahab-Shadipora, 42-Achan, 43-Chandigam, 44-Rajpora in Tehsil Pulwama.
35.	Wachi	PCs 8-Kalroo Malikgund, 9-Nadigam, 11-Dangerpora, 12-Turka Wangam, 13-Urapora, 14-Hardu-Handow, 15-Harmain, 16-Chak-Chowand, 17-Kapran, 19-Dangam, 20-Chakora, 21-Pratabpora, 24-Kanji-Ullar, 25-Chitragam, 26-Darikalpora, 27-Hef, 28-Sugan, 29-Awnera, 30-Wachi, 31-Aglar, 32-Zainapora, and 39-Allowpora-Sheikhpora in Tehsil Shopian.

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36.	Shopian	PCs 1-Saidapora, 2-Meemandar, 3-Arhama, 4-Pinjoora, 5-Ganowpora Arish, 6-Bemnipora, 7-Harapora, 10-Trenz, 18-Vehilchal-Awattoo, 22-Sedew, 23-Ram Nagri, 33-Diyaroo, 34-Barthipora, 35-Daramdoora, 36-Zoora-Baderhama, 37-Narapora, 38-Keegam, 40-Keller Mastpora, 41-Pahlipora, 42-Sindhu-Shrimal, 43-Shopian, 44-Devipora (forest block) in Tehsil Shopian.
ANANTNAG DISTRICT		
37.	Noorabad.	PCs 5-Malwan, 6-Pahloo, 7-Akhal, 23-Gudder, 34-Brinal Lamber, 46-Damhal-Hanjipora, 47-Ahmada-Abad, 48-Yaroo, 49-Hardu-Mandagori, 51-Manzgam, 52-Asnoor, 53-Wattoo, 54-Avil, 55-Khuri-Batapora, 56-Nagam, 57-Danow-Kandimarg, 58-Bdi-Jehalan, 59-Chimar, 60-Qasba Khul, 61-Nandimarg in Tehsil Kulgam.
38.	Kulgam	PCs 1-Kulgam with NAC, 2-Hanad-Chawalgam, 3-Amnoo, 4-Chamabagund, 11-Ashmuji, 19-Mirhama, 20-Akey, 21-Pariwan, 22-Chehla, 24-Areh, 25-Bihibagh, 26-Gopalpora, 38-Bugam, 39-Tarigam-Devsar, 43-Yamroch, 44-Munand-Guffan, 45-Katersoo, 50-Largurhama in Tehsil Kulgam.
39.	Home-Shalibugh	PCs 8-Uranhal, 9-Tuli-Nowpora, 10-Kujar, 12-Redwani, 13-Arwani, 14-Frisal, 15-Jablipora, 16-Wanpora, 17-Hassanpora Tavela, 18-Khandi-Phari, 40-Tarigam-Devibugh, 41-Matibugh, 42-Homshalibugh in Tehsil Kulgam.
40.	Anantnag	PCs 1-Qasba Bhagat, 2-Khanabal, 3-Roohoo, 4-Kamar, 5-Anchidoora, 6-Hardu-Chichan, 10-Ranbirpora in Tehsil Anantnag.
41.	Devsar	PCs 27-Devsar, 28-Bona Devsar, 29-Kilam-Buzgam, 30-Habliishi, 31-Nipora, 32-Laram-Ganipora, 33-Chowgam, 35-Razloo, 36-Waitengu, 37-Sopat Tengpora, 62-Oral in Tehsil Kulgam; and PCs 18-Vesoo, 19-Nasoo-Badargund, 20-Panzeth, 21-Kurigam, 23- Qazigund with NAC in Doru Tehsil.
42.	Doru	PCs 1-Doru, 2-Bragam, 3-Oibamdooth, 4-Mantpora, 5-Larkipora, 6-Hakura,-Badasgam, 7-Batgund, 8-Verinag, 9-Sadiwara, 10-Mundah, 11-Hiller, 12-Nowgam Shahabad, 13-Rain-Chowgund, 14-Thamankoot, 15-Qamar, 16-Halsidar, 17-Kapron, 22-Wangund in Tehsil Doru.
43.	Kokernag	PCs 28-Saagam, 29-Bider-Hayatpora, 30-Bhai, 31-Akingam, 32-Nagam, 33-Soof-Shali, 34-Panzgam, 35-Bindo-Zulangam, 36-Devalgam, 37-Nalla-Sund-Brari, 38-Lohar-Sanzi, 39-Ahlan-Gadol, 40-Kharatti, 41-Desoo, 42-Kharapora, 43-Qasba-Nowbugh, 44-Mati Hundoo, 45-Larnoo, 46-Kokernag NAC, 47-Achabal NAC in Tehsil Anantnag.
44.	Shangus	PCs 13-Sahibabad, 14-Nowgam, 15-Imoh, 16-Brakapora, 17-Shangus, 18-Uttarsoo, 19-Kreri, 20-Chatergul, 21-Ghikalpora, 22-Ranipora, 23-Detho-Nagnarian, 24-Gopalpora, 25-Telwani, 26-Kwarigam, 27-Ahupaisan in Tehsil Anantnag.
45.	Bijbehara	All PCs in Tehsil Bijbehara and PCs 7-Macha Bawan, 11-Nanilang, 12-Akora in Tehsil Anantnag.
46.	Pahalgam	All PCs in Tehsil Pahalgam and PCs 8-Seer-Kanligund, 9-Salia in Tehsil Anantnag.
DODA DISTRICT		
47.	Kishtwar	PCs 1-Marghi, 2-Inshan, 3-Yerudu, 4-Renai, 5-Nowpachi, 6-Chanjer, 7-Qaderana, 8-Deharana, 9-Lopara, 10-Loharna, 11-Soundhar, 19-Palmar, 30-Trigam, 31-Kishtwar, 32-Matta, 33-Poochal, 34-Dool, 35-Bhagnah, 36-Galarbahta, 37-Atholi, 38-Sohal, 39-Ishtiari, 40-Gulabgarh, 41-Massu, 42-Kishtwar NAC, 43-Forest Block in Tehsil Kishtwar.
48.	Inderwal	PCs 12-Chingam, 13-Inderwal, 14-Chatroo, 15-Sigdi, 16-Moolchhiter, 17-Drubeel, 18-Kochal, 20-Filler, 21-Pakhalan, 22-Keshwan, 23-Shandri, 24-Sangna, 25-Patnazi,

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		26-Jawalapur, 27-Loundri, 28-Badhat and 29-Karool in Tehsil Kishtwar; PCs 1-Jakyas in Tehsil Bhalesa (Gandoh) and following PCs of Tehsil Thathri:— 1-Jangalwar, 3-Malanoo, 4-Kansu, 10-Kandote.
49.	Doda	All PCs of Tehsil Doda except 8-Dessa, 9-Dhandal, 10-Kastigarh, 11-Shamti, 12-Chaka Kundi, 13-Assar, 14-Charrota.
50.	Bhaderwah	All PCs of Tehsil Bhaderwah and PCs 2-Budhli, 3-Chilli, 4-Drawani, 5-Kahal Jugasar, 6-Budwar, 7-Chanisar, 8-Kilotran, 9-Kharangal, 10-Gandoh in Tehsil Bhalesa ; and PCs 2-Jora, 5-Bhaja, 6-Bhalla, 7-Jagiti, 8-Bhallari, 9-Rokali, 11-Pamshayee in Tehsil Thathri.
51.	Ramban (SC)	All PCs of Tehsil Ramban except 5-Sarbagni and PCs of 8-Dessa, 9-Dhandhal, 10-Kastigarh, 11-Shamti, 12-Chaka, 13-Assar, 14-Charrota of Tehsil Doda.
52.	Banihal	All PCs of Tehsil Banihal and 5-Sarbagni in Tehsil Ramban.
UDHAMPUR DISTRICT		
53.	Gulabgarh	PCs 2-Mahore, 2-Sarh, 3-Dewal, 4-Gulabgarh, 5-Chasote, 6-Bagankote, 7-Shergarhi, 8-Shikari, 9-Kanthi, 10-Tulibana, 13-Shajroo in Tehsil Gulabgarh and PC 16-Jij in Tehsil Reasi.
54.	Reasi	Tehsil Reasi except following PCs:— 1. Salal, 15-Chinkah, 16-Jij, 17-Thakrakote and following PCs of Tehsil Udhampur:— 13-Panjar, 14-Lali, 15-Ladah, 17-Dhandu, 18-Jhandawa, 32-Badhota and 19-Suhal.
55.	Gool Arnas	Following PCs of Tehsil Gool Gulabgarh:— 11-Thuru, 12-Bhudhan, 14-Kanthan, 15-Judda, 16-Dhanow, 17-Kali Masta, 18-Gool, 19-Thatharka, 20-Sangaldan, 21-Forest Block ; and 1-Salal, 15-Chinkah, 17-Thakrakote in Tehsil Reasi.
56.	Udhampur	All PCs of Tehsil Udhampur except the following PCs:— 13-Panjar, 14-Lali, 15-Ladha, 17-Dhandu, 18-Jhandawa, 19-Suhal, 20-Ludha, 21-Balian, 27-Sunal, 29-Meer, 30-Kathi, 32-Badhota.
57.	Chenani (SC)	All PCs of Tehsil Chenani and following PCs of Tehsil Udhampur:— 20-Ladha, 21-Balian, 27-Sunal, 29-Meer, 30-Kathi and following PCs of Tehsil Ramnagar. 10-Dudu, 11-Latti, 31-Ghordi, 33-Hartarian, 34-Dandal, 35-Barmeen, 36-Nalla Ghoran.
58.	Ramnagar	All PCs of Tehsil Ramnagar except the following:— 10-Dudu, 11-Latti, 31-Ghordi, 33-Hartarian, 34-Dhandal, 35-Barmeen, 36-Nala Ghoran.
KATHUA DISTRICT		
59.	Bani	PCs 14-Bani, 15-Banjali, 16-Fatehpur, 17-Sandroon, 18-Rolka, 19-Buggah, 20-Lowang, 21-Kanthal, 22-Surjan, 23-Dhanggar, 24-Koti, 25-Forest Block in Tehsil Basohli and 9-Godu Flal, 10-Bdnota, 11-Machadi, 20-Malhar in Tehsil Billawar.
60.	Basohli	PCs 1-Thein, 2-Basantpur, 3-Lakhanpur, 4-Hatli, 7-Tridwan, 36-Lakhanpur NAC, 29-Berthian and 30-Sorlian in Tehsil Kathua and PCs 1-Basohli, 1-a-Basohli NAC, 2-Sandhar, 3-Hutt, 4-Bhoond, 5-Saman, 6-Dhar Jankar, 7-Dhar Mahanpur, 8-Plahi, 9-Prita, 10- Saber, 11-Patti, 12-Athalith, 13-Mahanpur in Tehsil Basohli and PCs 21-Dhar Digno, 22-Huttar, 23-Dambra in Tehsil Billawar.

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61.	Kathua	PCs 5-Dilwan, 6-Maha, 8-Kharote, 9-Taraf Manjili, 10-Taraf Tajwal, 11-Karian, 12-Taraf Bajwal, 13-Changran, 14-Govindsar, 15-Chak Soon Noopa, 16-Khakhyal, 17-Mirpur Ram, 18-Taraf Balla, 20-Katharian, 21-Janglote, 22-Loagate, 23-Jakhbar, 24-Airwan, 26-Chak Sakta, 27-Budhi, 28-Nanan, 31-Barwal, 32-Jherhere, 33-Kathua Forest Block, 34-Kathua NAC, 35-Perlain and 25-Folote in Tehsil Kathua.
62.	Billawar	PCs 11-Katli, 17-Bhaya, 21-Denga Amb, 23-Dhamal, 25-Mangloor, 26-Chelakh, 27-Salain in Tehsil Hiranagar and PCs 1-Ramkot, 2-Makwal, 3-Salora, 4-Rajwlta, 5-Danjisdhar, 6-Thara Kalwal, 7-Kalyal, 8-Thanthoo, 12-Kohag, 13-Malti, 14-Durang, 15-Dharan Kote, 16-Bhaddu, 17-Billawar, 18-Billawar NAC, 19-Buggan, 24-Parnala, 25-Pallan in Tehsil Billawar and PC 19-Juthana in Tehsil Kathua.
63.	Hiranagar (SC)	1-Jatwal, 2-Nonath, 3-Ghagwal, 4-Sarath, 5-Bhatyari Kotlan, 6-Sanoora, 7-Mawa, 8-Nohran, 9-Chachwal, 10-Sarti Kalan, 12-Chak Dulma, 13-Jondi, 14-Londi, 15-Rajpura, 16-Kootah, 18-Gurah Mathian, 19-Bavia, 20-Katal Brahmana, 24-Hamirpur, 28-Chhan Rorian, 29-Marheen, 22-Saiswan, 30-Khanpur, 31-Hiranagar, 32-Hiranagar NAC, 33-Pansar, 34-Kore Punu, 35-Chak Deva, 36-Chak Bhagwana, 37-Chak Kahna, 38-Chadwal, 39-Forest Block in Tehsil Hiranagar.
JAMMU DISTRICT		
64.	Samba (SC)	PCs 1-NAC Samba, 2-Samba Khas, 3-Taloor, 4-Amli, 5-Durin, 6-Katli, 7-Ram Nagar, 8-Pingdore, 11-Sunian, 10-Sarna, 12-Bhartgarh, 13-Suran, 14-Goran, 15-Balhter, 17-Katwalta, 18-Kharah Madena, 21-Baghore, 22-Purmandal, 24-Mohar Garh, 25-Badhari, 26-Kard in Tehsil Samba and PC 28-Chaudi in Jammu Tehsil.
65.	Vijaypur	PCs 9-Khanpur, 20-Vijaypur, 23-Gurah Salathian, 28-Harmander, 29-Chak Salarian, 30-Nanga, 31-Logwal, 32-Keso Manhasan, 33-Ramgarh, 34-Gho-Brahmana, 35 Chak Chataka, 36-Chann Fatwal, 37-Abtal, 38-Swankha, 39-Mahal Shan, 40-Rari, 41-Smailpur, 27-Birpur, 42-Tarore, 43-Bagla, 44-Gandwal in Tehsil Samba.
66.	Nagrota	PCs 39-Ranjan, 40-Sarote, 41-Jandial, 42-Gorda, 44-Nagrota, 45-Dansal, 46-Jhajar Kotli, 47-Thara, 48-Bamyal, 49-Katal Batal, 50-Shiba, 51-Jagti, 52-Jindrah, 53-Kanyala, 54-Kothar, 55-Kharte, 56-Dhan, 57-Songoon, 58-Ponthal, 59-Surinsar in Tehsil Jammu and PCs 16-Bain Bajalta, 19-Aitham in Tehsil Samba.
67.	Gandhinagar	Ward-16 (Gandhinagar), Ward-17 (Naibasti), Ward-22 (Chhani Rama), Ward-23 (Bahu), 24-Digiana, 26-Bahu, 27-Sunjwan, 29-Gadigarh, 30-Satwari in Tehsil Jammu.
68.	Jammu East	Wards 1 to 6, 9, 10, 12 and 15.
69.	Jammu West	Wards 7, 8, 11, 13, 14, 18, 19, 20 and 21.
70.	Bishnah	All PCs in Tehsil Bishnah and 25-Naugran in Tehsil Jammu.
71.	R.S. Pura (SC)	PCs 1-Salhar, 2-Rathana, 3-Kandlihar, 4-Khour, 5-Kalyana, 14-R.S. Pura with NAC, 15-Khas Gigian, 16-Chohalla, 19-Kirpind, 20-Kotli Shah Dula, 25-Marlia, 24-Darsopur, 35-Gondla in Tehsil R.S. Pura.
72.	Suchetgarh	PCs 6-Dablihar, 7-Magowali, 8-Parlah, 9-Chak Baza, 10-Nekowal, 11-Jevroh, 12-Saie Kalan, 13-Chak Mulo, 17-Badyal Brahmana, 18-Jssore, 21-Chak Agra, 22-Fatehpur Brahmana, 25-Samka, 26-Basapur, 27-Rangpur Malana, 28-Suchetgarh, 29-Chandu Chak, 30-Satowali, 31-Grarana, 32-Badyal Qazian, 33-Abdal, 34-Chakroi in Tehsil R.S. Pura.
73.	Marh	PCs 60-Prahaladpur, 61-Mandal, 62-Sum, 65-Gho Manhasan, 66-Sohanjana, 67-Thub, 68-Sahran, 69-Rathua, 70-Chanore, 71-Makwal, 72-Gool, 74-Gajansoo, 75-Kalyanpur, 76-Kahnachak, 77-Marh, 78-Gangoo Chak, 79-Kalrup, 80-Dhateryal, 31-Flora Nagbani in Tehsil Jammu.

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74.	Raipur Domana (SC)	PCs 31-Paloura, 32-Muthi, 33-Barn, 34-Siri Panditan, 35-Gharota, 36-Raipur Domana, 37-Kot Bhalwal, 38-Amb, 43-Kaink, 63-Hakkal, 64-Khandwal, 73-Bhadora, 82-Panjore in Tehsil Jammu.
75.	Akhnoor	PCs 1-Chowki, 2-Choura, 3-Kathar, 4-Mandarian, 8-Narri, 6-Ambaran, 7-Barui, 9-Ganderwan, 10-Manda, 11-Akhnoor Khas, 12-Sungal, 13-Pangairi, 14-Devipur, 15-Chak Kirpalpur, 16-Jadh, 17-Muthi Maira, 18-Rakh Dhoke, 19-Saliote, 20-Ghar Majoor, 21-Mawa Brahmana, 22-Leherian in Tehsil Akhnoor.
76.	Chhamb (SC)	PCs 8-Mattoo, 24-Gurah Manhasan, 25-Sarwal, 23-Pargwal, 26-Bhalwal Malu, 27-Hamirpur, 28-Bakore, 29-Chak Malal, 30-Derian, 31-Sainth, 32-Gigarial, 33-Khour, 34-Kot Mera, 35-Palanwala, 36-Kharah, 37-Nathal, 38- Doori, 39-Chhani Dewanoo, 40-Samuan, 41-Chakla in Tehsil Akhnoor.
RAJOURI DISTRICT		
77.	Nowshera	All PCs of Tehsil Nowshera except 11-Narian and all PCs of Tehsil Sunderbani.
78.	Darhal	All PCs of Tehsil Budhal except 3-Khawas, 6-Kote Chalwal and following PCs of Tehsil Thanamandi :— 5-Darhal, 6-Chowdian, 7-Nadian, 8-Ujhan ; and PC 4-Nagrota in Tehsil Rajouri.
79.	Rajouri	Following PCs of Tehsil Rajouri :— 1-Gambir Muglan, 2-Dani-Dhar, 7-Bathooni, 8-Sarola, 9-Sohana, 10-Doongi Brahmana, 11-Katarmal, 12-Deri Delote, 13-Panj Grain, 14-Galhoti, 15-Fatehpur, 17-Bagla, 19-Rampur with NAC Rajouri with following PCs of Thanamandi Tehsil:— 1-Dodasan Balla, 2-Saaj, 3-Shahdara Sharief, 4-Hosplote, 10-Thanamandi with NAC and 9-Bharote.
80.	Kalakote	All PCs of Tehsil Kalakote and following PCs of Tehsil Rajouri :— 2-Dalhari, 3-Dhangri, 6-Potha Grlana, 16-Khanpur Chingus, 18-Bhadoo and PC 11-Narian of Tehsil Nowshera ; and 3-Khaskote Chalwal of Budhal Tehsil.
POONCH DISTRICT		
81.	Surankote	All PCs in Surankote Tehsil and PCs 12-Rajpur, 21-Shindra, 22-Seri-Khawja in Poonch Tehsil.
82.	Mendhar	All PCs of Tehsil Mendhar.
83.	Poonch Haveli	All PCs of Tehsil Poonch except 12-Rajpur, 21-Shindra, 22-Sheri Khawja.

Note.—Any reference in this table to a Tehsil, Patwar Circle (P.C.), Ward or N.A.C. (Notified Area Committee) shall be taken to mean the area comprised within that Tehsil, Patwar Circle, Notified Area Committee or Ward as on 1-4-1995.

The Fourth Schedule

(See Sections 16, 24 and 54)

FORMS OF OATHS OR AFFIRMATIONS

I

FORM OF OATH OR AFFIRMATION TO BE MADE BY A CANDIDATE FOR ELECTION TO THE LEGISLATIVE ASSEMBLY OF THE UNION TERRITORY OF JAMMU AND KASHMIR

“I, A.B., having been nominated as a candidate to fill a seat in the Legislative Assembly of _____ do swear in the name of God/ solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established and that I will uphold the sovereignty and integrity of India.”

II

FORM OF OATH OR AFFIRMATION TO BE MADE BY A MEMBER OF THE LEGISLATIVE ASSEMBLY OF THE UNION TERRITORY OF JAMMU AND KASHMIR

“I, A.B., having been elected (or nominated) a member of the Legislative Assembly of _____ do swear in the name of God/ solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India and that I will faithfully discharge the duty upon which I am about to enter.”

III

FORM OF OATH OF OFFICE FOR A MEMBER OF THE COUNCIL OF MINISTERS OF THE UNION TERRITORY OF JAMMU AND KASHMIR

“I, A.B., _____ do swear in the name of God/ solemnly affirm that I will bear true faith and allegiance to the Constitution of India as by law established, that I will uphold the sovereignty and integrity of India, that I will faithfully and conscientiously discharge my duties as a Minister for the Union territory of _____, and that I will do right to all manner of people in accordance with the Constitution and the law without fear and favour, affection or ill-will.”

IV

FORM OF OATH OF SECRECY FOR A MEMBER OF THE COUNCIL OF MINISTERS OF THE UNION TERRITORY OF JAMMU AND KASHMIR

“I, A.B., _____ do swear in the name of God/ solemnly affirm that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as a Minister for the Union territory of _____, except as may be required for the due discharge of my duties as such Minister.”

The Fifth Schedule
(See Sections 95 and 96)

TABLE - 1

**CENTRAL LAWS MADE APPLICABLE TO THE UNION TERRITORY OF JAMMU AND KASHMIR; AND
UNION TERRITORY OF LADAKH**

S.No.	Name of the Act	Section/Amendments
1.	The Aadhar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
2.	The Administrative Tribunal Act, 1985.	Clause (b) of sub-section (2) of section 1 shall be Omitted.
3.	The Anand Marriage Act, 1909.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
4.	The Arbitration and Conciliation Act, 1996.	Proviso to sub-section (2) of section 1 shall be omitted.
5.	The Prohibition of <i>Benami</i> Property Transactions Act, 1988.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
6.	The Charitable Endowment Act, 1890.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
7.	The Chit Funds Act, 1982.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
8.	The Code of Civil Procedure, 1908.	Clause (a) of sub-section (3) of section 1 shall be omitted.
9.	The Code of Criminal Procedure, 1973.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
10.	The Commercial Courts Act, 2015.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
11.	The Commissions for Protection of Child Rights Act, 2006.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
12.	The Commissions of Inquiry Act, 1952.	Proviso to sub-section (2) of section 1 shall be omitted.
13.	The Consumer Protection Act, 1986.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
14.	The Contempt of Courts Act, 1971.	Proviso to sub-section (2) of section 1 shall be omitted.
15.	The Delimitation Act, 2002.	As amended by this Act.
16.	The Dissolution of Muslim Marriages Act, 1939.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
17.	The Disturbed Areas (Special Courts) Act, 1976.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
18.	The Dowry Prohibition Act, 1961.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
19.	The Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
20.	The Easements Act, 1891.	Extended as whole.

S.No.	Name of the Act	Section/Amendments
21.	The Electricity Act, 2003.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
22.	The Employees Provident Funds and Miscellaneous Provisions Act, 1952.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
23.	The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.	Extended as whole.
24.	The Enemy Property Act, 1968.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
25.	The Energy Conservation Act, 2001.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
26.	The Family Courts Act, 1984.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
27.	The Fatal Accidents Act, 1855.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
28.	The Forest (Conservation) Act, 1980.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
29.	The General Clauses Act, 1897.	Extended as whole.
30.	The Governors (Emoluments, Allowances and Privileges) Act, 1982.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
31.	The Gram Nyayalayas Act, 2009.	In sub-section (2) of section 1, words, “the State of Jammu and Kashmir” shall be omitted.
32.	The Guardians and Wards Act, 1890.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
33.	The Hindu Adoptions and Maintenance Act, 1956.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
34.	The Hindu Disposition of Property Act, 1916.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
35.	The Hindu Marriage Act, 1955.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
36.	The Hindu Minority and Guardianship Act, 1956.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
37.	The Hindu Succession Act, 1956.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
38.	The Identification of Prisoners Act, 1920.	Extended as whole.
39.	The Indecent Representation of Women (Prohibition) Act, 1986.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
40.	The Indian Boilers Act, 1923.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
41.	The Indian Christian Marriage Act, 1872.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
42.	The Indian Contract Act, 1872.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.

S.No.	Name of the Act	Section/Amendments
43.	The Indian Easements Act, 1882.	Extended as whole.
44.	The Indian Evidence Act, 1872.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
45.	The Indian Forest Act, 1927.	Extended as whole.
46.	The Indian Nursing Council Act, 1947.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
47.	The Indian Partnership Act, 1932.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
48.	The Indian Penal Code, 1860.	In section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
49.	The Indian Stamp Act, 1899.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
50.	The Indian Succession Act, 1925.	Extended as whole.
51.	The Indian Trusts Act, 1882.	In section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
52.	The Indian Veterinary Council Act, 1984.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
53.	The Judges Protection Act, 1985.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
54.	The Judicial Officers (Protection) Act, 1850.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
55.	The Juvenile Justice (Care and Protection of Children) Act, 2015.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
56.	The Legal Services Authorities Act, 1987.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
57.	The Limitation Act, 1963.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
58.	The Maintenance and Welfare of Parents and Senior Citizens Act, 2007.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
59.	The Majority Act, 1875.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
60.	The Medical Termination of Pregnancy Act, 1971.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
61.	The Muslim Personal Law (Shariat) Application Act, 1937.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
62.	The Muslim Women (Protection of Rights on Divorce) Act, 1986.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
63.	The National Commission for Minorities Act, 1992.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
64.	The National Commission for Minority Educational Institutions Act, 2004.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
65.	The National Commission for Safai Karamcharis Act, 1993.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.

S.No.	Name of the Act	Section/Amendments
66.	The National Commission for Women Act, 1990.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
67.	The National Council for Teacher Education Act, 1993.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
67-A	The National Security Act, 1980.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
68.	The National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
69.	The Oaths Act, 1969.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
70.	The Partition Act, 1893.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
71.	The Pharmacy Act, 1948.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
72.	The Powers-of-Attorney Act, 1882.	In section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
73.	The Preconception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
74.	The Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
75.	The Prevention of Corruption Act, 1988.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
76.	The Prevention of Cruelty to Animals Act, 1960.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
77.	The Prevention of Damage to Public Property Act, 1984.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
78.	The Prisoners Act, 1900.	Extended as whole.
79.	The Prisons Act, 1894.	Extended as whole.
80.	The Private Security Agencies (Regulation) Act, 2005.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
81.	The Prize Chits and Money Circulation Scheme (Banning) Act, 1978.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
82.	The Probation of Offenders Act, 1958.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
83.	The Prohibition of Child Marriage Act, 2006.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
84.	The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.
85.	The Protection of Children From Sexual Offences Act, 2012.	In sub-section (2) of section 1, words, "except the State of Jammu and Kashmir" shall be omitted.

S.No.	Name of the Act	Section/Amendments
86.	The Protection of Human Rights Act, 1993.	Proviso to sub-section (2) of section 1 shall be omitted.
87.	The Protection of Women from Domestic Violence Act, 2005.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
88.	The Public Gambling Act, 1867.	Extended as whole.
89.	The Public Records Act, 1993.	Extended as whole.
90.	The Registration Act, 1908.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
91.	The Religious Endowments Act, 1863.	Extended as whole.
92.	The Religious Institutions (Prevention of Misuse) Act, 1988.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
93.	The Right of Children to Free and Compulsory Education Act, 2009.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
94.	The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
94A.	The Representation of People Act, 1951.	In Section (2), (i) In sub-section (1) in clause (d), the words “other than the State of Jammu and Kashmir” shall be omitted; and (ii) Sub-section (5) shall be omitted.
95.	The Right to Information Act, 2005.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
96.	The Sale of Goods Act, 1930.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
97.	The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2007.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
98.	The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
99.	The Special Marriage Act, 1954.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
100.	The Specific Relief Act, 1963.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
101.	The Suits Valuation Act, 1887.	Extended as whole.
102.	The Transfer of Property Act, 1882.	Extended as whole.
103.	The Transplantation of Human Organs and Tissues Act, 1994.	Extended as whole.
104.	The Wakf Act, 1995.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
105.	The Whistle Blowers Protection Act, 2014.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.
106.	The Wild Life (Protection) Act, 1972.	In sub-section (2) of section 1, words, “except the State of Jammu and Kashmir” shall be omitted.

TABLE-2

**STATE LAWS WHICH SHALL BE APPLICABLE TO THE UNION TERRITORY OF JAMMU AND KASHMIR
AND UNION TERRITORY OF LADAKH WITH AMENDMENTS**

S.No.	Year	No.	Short title	Amendments
1	2	3	4	5
1.	Svt 1977 (1920 AD)	XLII	The Transfer of Property Act	Section 139 and section 140 shall be omitted.
2.	Svt 1995 (1938 AD)	V	The Jammu and Kashmir Alienation of Land Act	Section 4 and section 4-A shall be omitted;
3.	Svt 2007 (1950 AD)	XVII	The Jammu and Kashmir Big Landed Estates Abolition Act	Section 20-A shall be omitted.
4.	1960	XXXVIII	The Jammu and Kashmir Land Grants Act	A. Provisos to sub-section 1 of section 4 shall be omitted; and B. Clause (i) of sub-section 2 of section 4 shall be omitted.
5.	1976	XVII	The Jammu and Kashmir Agrarian Reforms Act	Section 17 shall be omitted.
6.	1989	X	The Jammu and Kashmir Cooperative Societies Act	Sub-Clause (ii) of clause (a) of sub-section (1) of section 17 shall be omitted.
7.	2004	XIV	The Jammu and Kashmir Reservation Act	A. In section 2 after clause (g), the following clause shall be inserted namely:— “(ga) “economically weaker sections” means such categories as may be notified by the Government from time to time, on the basis of family income and other indicators of economic disadvantage, other than the classes or categories defined in clauses (m), (n) and (o)”; B. In section 3, in sub-section(1),— (i) in clause (a), the word “and” occurring at the end shall be omitted; (ii) in clause (b), for the words “backward classes:”, the words “backward classes; and” shall be substituted; (iii) after clause (b), the following clause shall be inserted, namely:— “(c) economically weaker sections:”; (iv) in the first proviso, for the words “the total percentage of reservation”, the words, brackets and letters “the total percentage of reservation provided in clauses (a) and (b)” shall be substituted; (v) in the second proviso, for the words “Provided further that”, the following shall be substituted, namely:—

“Provided further that the reservation in appointments in favour of the persons belonging to economically weaker sections shall be in addition to the existing reservation as provided in this sub-section and shall be subject to a maximum of ten per cent. of the posts in each category:

Provided also that”.

C. In section 9, in sub-section(1),—

(i) for the portion beginning with “shall reserve” and ending with “from time to time;”, the following shall be substituted, namely:—

“shall reserve seats in the Professional Institutions for candidates belonging to,—

(a) reserved categories and such other classes or categories as may be notified from time to time;and

(b) economically weaker sections:”;

(ii) in the proviso, for the words “the total percentage of reservation”, the words, brackets and letter “the total percentage of reservation provided in clause (a)” shall be substituted;

(iii) after the proviso, the following proviso shall be inserted, namely:—

“Provided further that the reservation in the Professional Institutions in favour of the persons belonging to economically weaker sections shall be in addition to the existing reservation as provided in this sub-section and shall be subject to a maximum of ten per cent. of the seats in each category.”.

TABLE-3
STATE LAWS INCLUDING GOVERNOR'S ACTS WHICH ARE REPEALED IN UNION TERRITORY OF JAMMU AND KASHMIR; AND UNION TERRITORY OF LADAKH

S.No.	Name of the Act	Act/Ordinance No.
1.	The Jammu and Kashmir Accountability Commission Act, 2002.	XXXVIII of 2002
2.	The Jammu and Kashmir Advocates Welfare Fund Act, 1997.	XXVI of 1997
3.	The Jammu and Kashmir Agricultural Income Tax Act, 1962.	XXI of 1962
4.	The Jammu and Kashmir [State] Agricultural Produce Marketing Regulation Act, 1997.	XXXVI of 1997
5.	The Jammu and Kashmir Anand Marriage Act, 1954.	IX of 2011
6.	The Jammu and Kashmir Animal Diseases (Control) Act, 1949.	XV of 2006
7.	The Jammu and Kashmir Apartment Ownership Act, 1989.	I of 1989
8.	The Jammu and Kashmir Arbitration and Conciliation Act, 1997.	XXXV of 1997
9.	The Jammu and Kashmir Arya Samajist Marriages (Validation) Act, 1942.	III of Svt. 1999
10.	The Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959.	XXVI of 1959
11.	The Jammu and Kashmir Banker's Books Evidence Act, 1920.	VI of 1977
12.	The Jammu and Kashmir Benami Transactions (Prohibition) Act, 2010.	V of 2010
13.	The Jammu and Kashmir Boilers Act, Samvat, 1991.	IV of Svt. 1991
14.	The Buddhists Polyandrous Marriages Prohibition Act, 1941.	II of 1998
15.	The Jammu and Kashmir Cattle Trespass Act, 1920.	VII of 1977
16.	The Jammu and Kashmir Charitable Endowments Act, 1989.	XIV of 1989
17.	The Jammu and Kashmir Chit Funds Act, 2016.	XI of 2016
18.	The Jammu and Kashmir Christian Marriage and Divorce Act, 1957.	III of 1957
19.	The Jammu and Kashmir Cinematograph Act, 1933.	XXIV of 1989
20.	The Code of Civil Procedure, Samvat 1977.	X of Svt. 1977
21.	The Code of Criminal Procedure, Samvat 1989.	XXIII of Svt. 1989
22.	The Jammu and Kashmir Collection of Statistics Act, 2010.	XVIII of 2010
23.	The Jammu and Kashmir [State] Commission for Women Act, 1999.	V of 1999
24.	The Jammu and Kashmir Commission of Inquiry Act, 1962.	XXXII of 1962
25.	The Jammu and Kashmir Consumer Protection Act, 1987.	XIVI of 1987
26.	The Jammu and Kashmir Contempt of Courts Act, 1997.	XXV of 1997
27.	The Jammu and Kashmir Contingency Fund Act, 1957.	XXIV of 1957
28.	The Jammu and Kashmir Contract Act, Samvat 1977.	IX of Svt. 1977
29.	The Jammu and Kashmir Court Fees Act, Samvat 1977.	VII of Svt. 1977
30.	The Jammu and Kashmir Court of Wards Act, Samvat 1977.	LII of Svt. 1977

S.No.	Name of the Act	Act/OrdinanceNo.
31.	The Jammu and Kashmir Criminal Law Amendment Act, Svt 1993.	I of Svt. 1993
32.	The Jammu and Kashmir Criminal Law Amendment Act, 1958.	III of 1958
33.	The Jammu and Kashmir Criminal Law Amendment Act, 1983.	X of 1983
34.	The Jammu and Kashmir Customs Act, Svt 1958.	VIII of Svt. 1958
35.	The Jammu and Kashmir Dehi Adalats Act, 2013.	XV of 2013
36.	The Jammu and Kashmir Destruction of Records Act, 1920.	XII of 1977
37.	The Jammu and Kashmir Displaced Persons (Permanent Settlement) Act, 1971.	X of 1971
38.	The Jammu and Kashmir Dissolution of Muslim Marriages Act, 1942.	X of Svt. 1999
39.	The Jammu and Kashmir Dowry Restraint Act, 1960.	XXXVI of 1960
40.	The Jammu and Kashmir Easements Act, 1920.	XIV of Svt. 1977
41.	The Jammu and Kashmir Electricity Act, 2010.	XIII of 2010
42.	The Jammu and Kashmir Electricity (Duty) Act, 1963.	XI of 1963
43.	The Jammu and Kashmir Employees Provident Funds (And) Miscellaneous Provisions Act, 1961.	XV of 1961
44.	The Jammu and Kashmir Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 2010.	XIX of 2010
45.	The Jammu and Kashmir Energy Conservation Act, 2011.	XIV of 2011
46.	The Jammu and Kashmir Epidemic Diseases Act, 1920.	XVI of 1977
47.	The (State) Evacuees (Administration of Property) (Validation of Orders, Proceedings and Acts) Act, 1958.	IV of 1958
48.	The Jammu and Kashmir Evidence Act, Samvat 1977 (1920 A.D).	XIII of Svt. 1977
49.	The Jammu and Kashmir Fatal Accidents Act, Samvat 1977.	XVII of Svt. 1977
50.	The Jammu and Kashmir Forest Act, Samvat 1987.	II of Svt. 1987
51.	The Jammu and Kashmir Forest (Conservation) Act, 1997.	XXX of 1997
52.	The Jammu and Kashmir Forest (Sale of Timber) Act, Samvat 1987.	III of Svt. 1987
53.	The Jammu and Kashmir General Clauses Act, Samvat 1977.	XX of Svt. 1977
54.	The Jammu and Kashmir Good Conduct Prisoners (Temporary Release) Act, 1978.	VII of 1978
55.	The Government Servants (Held in Detention) Act, 1956.	XV of 1956
56.	The Jammu and Kashmir Grant of Permit for Resettlement in (or Permanent Return to) the State Act, 1982.	X of 1982
57.	The Jammu and Kashmir Guardians and Wards Act, Samvat 1977.	XIX of Svt. 1977
58.	The Jammu and Kashmir Hindu Adoptions and Maintenance Act, 1960.	II of 1960
59.	The Jammu and Kashmir Hindu Disposition of Property Act, Samvat 1997.	XVI of Svt. 1997
60.	The Jammu and Kashmir Hindu Inheritance (Removal of Disabilities) Act, Samvat 1997.	XVIII of Svt. 1997
61.	The Jammu and Kashmir Hindu Marriage Act, 1980.	IV of 1980
62.	The Jammu and Kashmir Hindu Marriage (Validation of Proceedings) Act, 1963.	XVI of 1963

S.No.	Name of the Act	Act/OrdinanceNo.
63.	The Jammu and Kashmir Hindu Minority and Guardianship Act, 1957.	VII of 1957
64.	The Jammu and Kashmir Hindu Succession Act, 1956.	XXXVIII of 1956
65.	The Jammu and Kashmir Hindu Widows Remarriage and Property Act, Samvat 1989.	XXIX of Svt. 1989
66.	The Jammu and Kashmir Homeopathic Practitioner Act, 2003.	VIII of 2003
67.	The Jammu and Kashmir Identification of Prisoners Act, Samvat 1994.	IV of Svt. 1994
68.	The Jammu and Kashmir Infant Marriages Prevention Act, Samvat 1985.	I of Svt. 1985
69.	The Instruments (Control of Noises) Act, 1959.	VII of 1959
70.	The Judicial Officers Protection Act, 1971.	
71.	The Jammu and Kashmir Juvenile Justice (Care and Protection of Children) Act, 2013.	VII of 2013
72.	The Jammu and Kashmir Juvenile Smoking Act, Samvat 1986.	II of Svt. 1986
73.	The Land Acquisition Act, Samvat 1990.	X of Svt. 1990
74.	The Legal Practitioners (Fees) Act, Samvat 1988.	VII of Svt. 1988
75.	The Jammu and Kashmir Legal Representatives Suits Act, Samvat 1977.	XXII of Svt. 1977
76.	The Jammu and Kashmir Legal Services Authorities Act, 1997.	XXXIII of 1997
77.	The Jammu and Kashmir Limitation Act, Samvat 1995.	IX of Svt. 1995
78.	The Jammu and Kashmir Livestock Improvement Act, Samvat 1996.	XXIII of Svt. 1996
79.	The Jammu and Kashmir Local Authorities Loans Act, Samvat 1997.	VI of Svt. 1997
80.	The Jammu and Kashmir Lunacy Act, Samvat 1977.	XXV of Svt. 1997
81.	The Jammu and Kashmir Maintenance and Welfare of Parents and Senior Citizens Act, 2014.	XVI of 2014
82.	The Jammu and Kashmir Majority Act, Samvat 1977.	XXVI of Svt. 1977
83.	The Jammu and Kashmir Medical Registration Act, Samvat 1998.	IV of Svt. 1998
84.	The Jammu and Kashmir Medical Termination of Pregnancy Act, 1974.	XXIII of 1974
85.	The Jammu and Kashmir Muslim Dower Act, Samvat 1977.	XLIV of Svt. 1977
86.	The Jammu and Kashmir Muslim Personal Law (Shariat) Application Act, 2007.	IV of 2007
87.	The Jammu and Kashmir Muslim Specified Wakafs and Specified Wakaf Properties (Management and Regulation) Act, 2004.	VIII of 2004
88.	The Jammu and Kashmir Nationalization of Forest Working Act, 1987.	VII of 1987
89.	The (State) Newspapers (Incitements to Offences) Act, Svt 1971.	VIV of Svt. 1971
90.	The Jammu and Kashmir Nursing Council Act, 2012.	IV of 2012
91.	The Jammu and Kashmir Nursing Homes and Clinical Establishments (Registration and Licensing) Act, 1963.	XXXIX of 1963
92.	The Official Secrets Act, Samvat 1977.	XLIII of Svt. 1977
93.	The Opium Smoking Act, Samvat 2011.	XXXII of Svt. 2011
94.	The Essential Services (Maintenance) Ordinance, Samvat 2001.	IX of Svt. 2001
95.	The Hoarding and Profiteering Prevention Ordinance, Samvat 2000.	XIX of Svt. 2000

S.No.	Name of the Act	Act/OrdinanceNo.
96.	The Police Enhanced Penalties Ordinance, Samvat 2005.	III of Svt. 2005
97.	The Prevention of Corruption Ordinance, 2001.	IV of Svt. 2001
98.	The Jammu and Kashmir Public Servants Transfer of Immovable Property (Restriction) Ordinance, 2004.	XXX of Svt. 2004
99.	The Jammu and Kashmir Partition Act, Samvat 1977.	XXX of Svt. 1977
100.	The Jammu and Kashmir Partnership Act, Samvat 1996.	V of Svt. 1996
101.	The Jammu and Kashmir Permanent Residents Certificate (Procedure) Act, 1963.	XIII of 1963
102.	The Jammu and Kashmir Pharmacy Act, Samvat 2011.	LIII of Svt. 2011
103.	The Jammu and Kashmir Poisons Act, Samvat 1977.	XXXIV of Svt. 1977
104.	The Jammu and Kashmir Preconception and Prenatal Sex Selection (Prohibition and Regulation) Act, 2002.	XXXI of 2002
105.	The (State) Press and Publications Act, Svt 1989.	I of Svt. 1989
106.	The Jammu and Kashmir Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1988.	XXV of 1988
107.	The Jammu and Kashmir Prevention of Corruption Act, Samvat 2006.	XIII of Svt. 2006
108.	The Jammu and Kashmir Prevention of Cruelty to Animals Act, Samvat 1990.	XIII of Svt. 1990
109.	The Jammu and Kashmir Prevention of Defacement of Property Act, 1985.	XIX of 1985
110.	The Jammu and Kashmir Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988.	XXIII of 1988
111.	The Jammu and Kashmir Prevention of Insult to State Honour Act, 1979.	X of 1979
112.	The Jammu and Kashmir Prisoners Act, Svt 1977.	XXXIII of Svt. 1977
113.	The Jammu and Kashmir Prisons Act, Svt 1977.	XXXI of Svt. 1977
114.	The Jammu and Kashmir Private Security Agencies (Regulation) Act, 2015.	IX of 2015
115.	The Jammu and Kashmir Prize Competition Act, 1956.	XII of 1956
116.	The Jammu and Kashmir Probation of Offenders Act, 1966.	XXXVII of 1966
117.	The Jammu and Kashmir Protection of Human Rights Act, 1997.	XV of 1997
118.	The Jammu and Kashmir Protection of Women from Domestic Violence Act, 2010.	XI of 2010
119.	The Jammu and Kashmir Provident Funds Act, Svt 1998.	XXII of Svt. 1998
120.	The Jammu and Kashmir Public Gambling Act, Svt 1977.	XVIII of Svt. 1977
121.	The Jammu and Kashmir Public Property (Prevention of Damage) Act, 1985.	XX of 1985
122.	The Jammu and Kashmir Public Servants (Inquiries) Act, Svt 1977.	XXVIII of Svt. 1977
123.	The (State) Ranbir Penal Code, Samvat 1989.	XII of Svt. 1989
124.	The Jammu and Kashmir Registration Act, Svt. 1977.	XXXV of Svt. 1977
125.	The Jammu and Kashmir Registration (Amendment and Validation of Transfers of property) Act, 1955.	VI of 1955
126.	The Registration of Deeds (Validating) Act, Samvat 2008.	VI of Svt. 2008
127.	The Registration of Deeds (Validation) Act, 1956.	XXI of 1956

S.No.	Name of the Act	Act/OrdinanceNo.
128.	The Registration of Deeds (Validating) Act, 1968.	XXXIII of 1968
129.	The Registration of Deeds (Validation) Act, 1976.	I of 1976
130.	The Registration of Deeds (Validation) Act, 1985.	IX of 1985
131.	The Jammu and Kashmir Religious Endowments Act, Svt 1977.	L of Svt.1977
132.	The Jammu and Kashmir Representation of the People Act, 1957.	IV of 1957
133.	The Jammu and Kashmir Requisitioning and Acquisition of Immovable Property Act, 1968.	XXXV of 1968
134.	The Jammu and Kashmir Right to Information Act, 2009.	VIII of 2009
135.	The Jammu and Kashmir Sale of Goods Act, Svt 1996.	II of 1996
136.	The Separation of Judicial and Executive Functions Act, 1966.	XL of 1966
137.	The Jammu and Kashmir Small Causes Court Act, Svt 1968.	
138.	The Societies Registration Act, Svt 1998.	VI of Svt. 1998
139.	The Jammu and Kashmir Specific Relief Act, Svt 1977.	XXXVIII of Svt. 1977
140.	The Jammu and Kashmir Standards of Weights and Measures (Enforcement) Act, 1997.	XXXVII of 1997
141.	The Jammu and Kashmir Succession Certificate Act, Svt 1977.	XXXIX of Svt.1977
142.	The Succession (Property Protection) Act, Svt 1977.	XXXVI of Svt.1977
143.	The Jammu and Kashmir Suits Valuation Act, Svt 1977.	XXXVII of Svt.1977
144.	The Jammu and Kashmir Suppression of Indecent Advertisements Act, Svt 2003.	IX of Svt. 2003
145.	The Jammu and Kashmir Transfer of Property Act, Svt 1977.	XLII of Svt. 1977
146.	The Jammu and Kashmir Transplantation of Human Organs Act, 1997.	III of 1997
147.	The Jammu and Kashmir Trusts Act, Svt 1977.	XLI of Svt. 1977
148.	The Jammu and Kashmir Venereal Diseases Act, Svt 2000.	XXI of Svt. 2000
149.	The Veterinary Council Act, 2001.	XXI of 2001
150.	The Jammu and Kashmir [State] Village and Town Patrol Act, 1959.	XXIV of 1959
151.	The Jammu and Kashmir Village Sanitation Act, Svt. 1990.	V of Svt. 1990
152.	The Jammu and Kashmir Wakafs Act, 2001.	III of 2001
153.	The Jammu and Kashmir Wildlife (Protection) Act, 1978.	VIII of 1978

S.No.	Name of the Governor's Act	Governor's Act No.
1.	The Jammu and Kashmir State Trust for Welfare of Persons with Autism Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 2018.	VI of 2018
2.	The Jammu and Kashmir Drugs and Magic Remedies (Objectionable Advertisements) Act, 2018.	VIII of 2018
3.	The Jammu and Kashmir Single Window (Industrial Investment and Business Facilitation) Act, 2018.	X of 2018
4.	The Jammu and Kashmir Commercial Courts Act, 2018.	XIII of 2018
5.	The Jammu and Kashmir Family Courts Act, 2018.	XXIV of 2018
6.	The Jammu and Kashmir Aadhar (Targeted Delivery of Financial and other Subsidies, Benefits and Services) Act, 2018.	XXXIV of 2018
7.	The Jammu and Kashmir Protection of Children From Sexual Violence Act, 2018.	II of 2018
8.	The Jammu and Kashmir Rights of Persons with Disabilities Act, 2018.	XL of 2018
9.	The Jammu and Kashmir Prohibition of Benami Property Transactions Act, 2018.	XLIII of 2018
10.	The Jammu and Kashmir State Commission for Protection of Women and Child Rights Act, 2018.	XLVI of 2018
11.	The Jammu and Kashmir Real Estate (Regulation and Development) Act, 2018.	LIII of 2018

TABLE - 4**STATE ACTS INCLUDING GOVERNOR'S ACTS THAT SHALL REMAIN IN FORCE IN UNION TERRITORY OF JAMMU AND KASHMIR; AND UNION TERRITORY OF LADAKH**

S.No.	Name of the Act	Act/Ordinance No.
1.	The Jammu and Kashmir Aerial Ropeways Act, 2002	XII of 2002
2.	The Jammu and Kashmir Agrarian Reforms Act, 1976	XVII of 1976
3.	Agriculturists' Relief Act, Svt. 1983	I of Svt. 1983
4.	The Jammu and Kashmir Government Aid to Agriculturists and Land Improvement Act, Svt. 1993	VII of Svt. 1993
5.	The Jammu and Kashmir State Aid to Industries Act 1961	XXII of 1961
6.	The Jammu and Kashmir Alienation of Land Act, Svt. 1995	V of Svt. 1995
7.	The Jammu and Kashmir Anatomy Act, 1959	XXII of 1959
8.	The Jammu and Kashmir Ancient Monuments Preservation Act, Svt. 1977	V of Svt 1977
9.	The Jammu and Kashmir Baba Ghulam Shah Badshah University Act, 2002	XVI of 2002
10.	The Jammu and Kashmir Big Landed Estates Abolition Act, Svt. 2007	XVII of Svt. 2007
11.	The Jammu and Kashmir Board of Professional Entrance Examination Act, 2002	XXV of 2002
12.	The Jammu and Kashmir Board of School Education Act, 1975	XXVIII of 1975
13.	The Jammu and Kashmir State Board of Technical Education Act, 2002	XXIV of 2002
14.	The Jammu and Kashmir Brick Kilns (Regulation) Act, 2010	XV II of 2010
15.	Camping and Mooring Sites Act, Svt. 2004	XII of Svt. 2004
16.	The Jammu and Kashmir Chowkidari Act, 1956	XXXVII of 1956
17.	The Jammu and Kashmir Civic Laws (Special Provisions) Act, 2014	III of 2014
18.	The Jammu and Kashmir Civil Courts Act, Svt. 1977	XLVI of Svt. 1977
19.	The Jammu and Kashmir Civil Services (Decentralization and Recruitment) Act, 2010	XVI of 2010
20.	The Jammu and Kashmir Civil Services (Special Provisions) Act, 2010	XIV of 2010
21.	The Srinagar and Jammu Cluster Universities Act, 2016.	III of 2016
22.	The Jammu and Kashmir State Commission for Backward Classes Act, 1997	XII of 1997
23.	The Jammu and Kashmir Common Lands (Regulation) Act, 1956	XXIV of 1956
24.	The Jammu and Kashmir Consolidation of Holdings Act, 1962	V of 1962
25.	The Jammu and Kashmir Control of Building Operations Act, 1988	XV of 1988
26.	The Jammu and Kashmir Cooperative Societies Act, 1989.	X of 1989
27.	The Jammu and Kashmir Debtors Relief Act, 1976	XV of 1976
28.	The Jammu and Kashmir Delivery of Books and Newspapers (Public Libraries) Act, 1961	XIII of 1961
29.	The Jammu and Kashmir Deputy Ministers' Salaries and Allowances Act, 1957	VI of 1957

S.No.	Name of the Act	Act/OrdinanceNo.
30.	The Jammu and Kashmir Deputy Speaker's and Deputy Chairman's (Emoluments) Act, 1956	XXII of 1956
31.	The Jammu and Kashmir Development Act, 1970	XIX of 1970
32.	The Jammu and Kashmir Egress and Internal Movement (Control) Ordinance, Svt. 2005.	V of Svt. 2005
33.	The Jammu and Kashmir Enemy Agents Ordinance, Svt. 2005.	VIII of Svt. 2005
34.	The Jammu and Kashmir State Emergency Relief Fund Act, 1960	XIII of 1960
35.	The Jammu and Kashmir Excise Act, Samvat 1958	--
36.	The Jammu and Kashmir Extraction of Resin Act, 1988.	IX of 1988
37.	The Jammu and Kashmir State Evacuees (Administration of Property) Act, Samvat 2006 (1949 A.D).	VI of Svt. 2006
38.	The Jammu and Kashmir Ferry Boats Control Act, 1971.	XVIII of 1971
39.	The Jammu and Kashmir State Finance Commission Act, 2006	XVIII of 2006
40.	The Jammu and Kashmir Finance Commission for Panchayats and Municipalities Act, 2011	XVI of 2011
41.	The Jammu and Kashmir Fire Force Act, 1967.	XXII of 1967
42.	The Jammu and Kashmir Fiscal Responsibility and Budget Management Act, 2006.	XII of 2006
43.	The Jammu and Kashmir Fisheries Act, 2018.	XVI of 2018
44.	The Jammu and Kashmir Flood Plain Zones (Regulation and Development) Act, 2005.	XVII of 2005
45.	The Jammu and Kashmir State Forest Corporation Act, 1978.	XII of 1978
46.	The Jammu and Kashmir Forest (Protection) Force Act, 2001.	VI of 2001
47.	The Jammu and Kashmir Fruit Nurseries (Licensing) Act, 1987.	XXII of 1987
48.	The Jammu and Kashmir Gift Goods (Unlawful Possession) Act, 1963.	XL of 1963
49.	The Jammu and Kashmir Golf Development and Management Authority Act, 2013.	VIII of 2013
50.	The Jammu and Kashmir Goods and Services Tax Act, 2017.	V of 2017
51.	The Jammu and Kashmir Government Gazette Act, Svt. 1945.	XII of Svt. 1945
52.	The Jammu and Kashmir Governor's Special Security Force Act, 2018	Governors Act No.XLII of 2018
53.	The Jammu and Kashmir Habitual Offenders (Control and Reform) Act, 1956.	XI of 1956
54.	The Jammu and Kashmir Handicrafts (Quality Control) Act, 1978.	IV of 1978
55.	The Jammu and Kashmir Heritage Conservation and Preservation Act, 2010.	XV of 2010
56.	The Jammu and Kashmir Highways Act, Svt. 2007.	XXVII of Svt. 2007
57.	The Jammu and Kashmir Home Guards Act, Svt. 2006.	III of Svt. 2006
58.	The Jammu and Kashmir Housing Board Act, 1976.	VII of 1976
59.	The Jammu and Kashmir Industrial Establishments (National and Festival) Holidays Act, 1974.	XIII of 1974
60.	The Jammu and Kashmir Inspector General of Prisons (Change in Designation) Act, 2001.	XIII of 2001

S.No.	Name of the Act	Act/OrdinanceNo.
61.	The Jammu and Kashmir Islamic University of Science and Technology Kashmir Act, 2005.	XVIII of 2005
62.	The Jammu and Kashmir Kahcharai Act, Svt. 2011.	XVIII of Svt. 2011
63.	Kashmir and Jammu Universities Act, 1969.	XXIV of 1969
64.	Kashmir Silk Protection Act, 1964.	
65.	The Jammu and Kashmir Khadi and Village Industries Board Act, 1965.	XVI of 1965
66.	Ladakh Autonomous Hill Development Council Act, 1997.	XXXI of 1997
67.	Ladakh Budhists Succession to Property Act, Svt. 2000.	XVIII of Svt. 2000
68.	The Jammu and Kashmir Lambardari Act, 1972.	X of 1972
69.	The Jammu and Kashmir Land Grants Act, 1960.	XXXVIII of 1960
70.	The Jammu and Kashmir Land Improvement Schemes Act, 1972.	XXIV of 1972
71.	The Jammu and Kashmir Land Revenue Act, Svt. 1996.	XII of Svt. 1996
72.	The Jammu and Kashmir Legislative Assembly Speaker's Emoluments Act, 1956.	IV of 1956
73.	The Jammu and Kashmir Legislative Council Chairman's (Emoluments) Act, 1962.	XXVIII of 1962
74.	The Jammu and Kashmir State Legislature Members' Pension Act, 1984.	II of 1984
75.	The Jammu and Kashmir Legislature (Prevention of Disqualification) Act, 1962.	XVI of 1962
76.	The Jammu and Kashmir State Legislature Proceedings (Protection of Publication) Act, 1960.	XXXVII of 1960
77.	Levy of Tolls Act, Svt. 1995.	VIII of Svt. 1995
78.	The Jammu and Kashmir Migrant Immovable Property (Preservation, Protection and Restraint on Distress Sales) Act, 1997.	XVI of 1997
79.	The Jammu and Kashmir Migrants (Stay of Proceedings) Act, 1997.	XVII of 1997
80.	The Jammu and Kashmir Ministers and Ministers of State Salaries Act, 1956.	VI of 1956
81.	The Jammu and Kashmir Ministers and Presiding Officers Medical Facilities Act, 1975.	XXII of 1975
82.	The Jammu and Kashmir Money Lenders and Accredited Loan Providers Act, 2010.	XXIII of 2010
83.	The Jammu and Kashmir Motor Spirit and Diesel Oil (Taxation of Sales) Act, Svt. 2005.	V of Svt. 2005
84.	The Jammu and Kashmir Motor Vehicles Taxation Act, 1957.	XXVI of 1957
85.	The Jammu and Kashmir Mulberry Protection Act, Svt. 2006.	X of Svt. 2006
86.	The Jammu and Kashmir Municipal Act, 2000.	XX of 2000
87.	The Jammu and Kashmir Municipal Corporation Act, 2000.	XXI of 2000
88.	The Jammu and Kashmir Municipal Ombudsman Act, 2010.	XX of 2010
89.	The Jammu and Kashmir Municipalities Public Disclosure Act, 2010.	XXIV of 2010
90.	The Jammu and Kashmir Muslim Marriages Registration Act, 1981.	XXII of 1981
91.	The Jammu and Kashmir Namdha Quality Control Act, Svt. 2010.	VI of Svt. 2010
92.	National Defence Fund Donation of Immovable Property (Exemption from Stamp Duty and Registration) Act, 1963.	V of 1963

S.No.	Name of the Act	Act/OrdinanceNo.
93.	The Jammu and Kashmir Natural Calamities Destroyed Areas Improvement Act, Svt. 2011.	XXXVIII of Svt. 2011
94.	The Jammu and Kashmir Non-Biodegradable Material (Management) Handling and Disposal Act, 2007.	XII of 2007
95.	The Jammu and Kashmir Obsolete Laws (Repeal) Act, 2010.	XXVII of 2010
96.	The Jammu and Kashmir Ombudsman for Panchayats Act, 2014.	V of 2014
97.	The Jammu and Kashmir Panchayati Raj Act, 1989.	IX of 1989
98.	The Jammu and Kashmir Paramedical Council Act, 2014.	VII of 2014
99.	The Jammu and Kashmir Passengers Taxation Act, 1963.	XII of 1963
100.	The Jammu and Kashmir Plant Disease and Pests Act, 1973.	XIV of 1973
101.	Plyboard Industries (Acquisition of Shares and of the Industrial Undertakings) Act, 1987.	VI of 1987
102.	Police Act, Svt. 1983.	II of Svt. 1983
103.	The Jammu and Kashmir Preservation of Specified Trees Act, 1969.	V of 1969
104.	The Jammu and Kashmir Prevention of Beggary Act, 1960.	XL of 1960
105.	The Jammu and Kashmir Prevention of Fragmentation of Agricultural Holdings Act, 1960.	XXV of 1960
106.	Prevention of Ribbon Development Act, Svt. 2007.	XXVI of Svt. 2007
107.	Prevention of Rum Rasum Act, Svt. 1997.	I of Svt. 1997
108.	The Jammu and Kashmir Prevention and Suppression of Sabotages Activities Act, 1965.	XXII of 1965
109.	The Jammu and Kashmir Prevention of Unfair Means Examination Act, 1987.	XX of 1987
110.	The Jammu and Kashmir Private Colleges (Regulation and Control) Act, 2002	XXII of 2002
111.	Probate and Administration Act, Svt. 1977.	XXIX of Svt. 1977
112.	The Jammu and Kashmir Professions, Trades, Callings and Employment Tax Act, 2005.	IX of 2005
113.	The Jammu and Kashmir Prohibition on Conversion of Land and Alienation of Orchards Act, 1975.	VIII of 1975
114.	The Jammu and Kashmir Prohibition on Manufacture of Specified Copper Utensils (By Machine) Act, 2006.	XIII of 2006
115.	The Jammu and Kashmir Prohibition of Ragging Act, 2011.	VI of 2011
116.	The Jammu and Kashmir State Prohibition of Smoking (Cinema and Theatre Halls) Act, Svt. 2009.	XVIII of Svt. 2009
117.	The Jammu and Kashmir Prohibition of Smoking and Non-Smokers Health Protection in Public Service Vehicles Act, 1997.	XX of 1997
118.	The Jammu and Kashmir Property Rights to Slum Dwellers Act, 2012.	XI of 2012
119.	The Jammu and Kashmir Property Tax Board Act, 2013.	XI of 2013
120.	The Jammu and Kashmir Protection of Interest of Depositors (in Financial Establishments) Act, 2018.	XIII of 2018

S.No.	Name of the Act	Act/OrdinanceNo.
121.	The Jammu and Kashmir Public Men and Public Servants Declaration of Assets and Other Provisions Act, 1983.	V of 1983
122.	The Jammu and Kashmir Public Premises (Eviction of Un-authorized Occupants) Act, 1988.	XVII of 1988
123.	The Jammu and Kashmir Public Safety Act, 1978.	VI of 1978
124.	The Jammu and Kashmir Public Services Guarantee Act, 2011.	IX of 2011
125.	The Jammu and Kashmir Registration of Contractors Act, 1956.	XVI of 1956
126.	The Jammu and Kashmir Registration of Tourist Trade Act, 1978.	IX of 1978
127.	The Jammu and Kashmir Regulation of Accounts Act, Svt. 2001.	XIV of Svt. 2001
128.	The Jammu and Kashmir Reservation Act, 2004.	XIV of 2004
129.	The Jammu and Kashmir Residential and Commercial Tenancy Act, 2012.	V of 2012
130.	The Jammu and Kashmir Restitution of Mortgaged Properties Act, 1976.	XIV of 1976
131.	The Jammu and Kashmir Right of Prior Purchase Act, Svt. 1993.	II of Svt. 1993
132.	The Jammu and Kashmir Road Safety Council Act, 2018.	V of 2018
133.	The Jammu and Kashmir Saffron Act, 2007.	V of 2007
134.	Salaries and Allowances of Members of Jammu and Kashmir State Legislature Act, 1960.	XIX of 1960
135.	Salaries and Allowances of Leader of Opposition in the State Legislature Act, 1985.	XVI of 1985
136.	The Sapphire Act, Svt. 1989.	XVI of Svt. 1989
137.	The Jammu and Kashmir School Education Act, 2002.	XXI of 2002
138.	The Jammu and Kashmir Self-Reliant Cooperatives Act, 1999.	X of 1999
139.	The Jammu and Kashmir State Sheep and Sheep Products Development Board Act, 1979.	IX of 1979
140.	Sher-i-Kashmir University of Agricultural Sciences and Technology Act, 1982.	VII of 1982
141.	Sher-i-Kashmir Institute of Medical Sciences (Grant of Degrees) Act, 1983.	XII of 1983
142.	The Jammu and Kashmir Shri Amarnath Ji Shrine Act, 2000.	XVIII of 2000
143.	The Jammu and Kashmir Shri Mata Sukhrala Devi Ji and Shri Mata Bala Sundari Shrine Act, 2013.	III of 2013
144.	The Jammu and Kashmir Shri Mata Vaishno Devi Shrine Act, 1988.	XVI of 1988
145.	The Jammu and Kashmir Shri Mata Vaishno Devi University Act, 1999.	XII of 1999
146.	The Jammu and Kashmir Shri Shiv Khori Shrine Act, 2008.	IV of 2008
147.	The Jammu and Kashmir Sikh Gurdwaras and Religious Endowments Act, 1973.	XV of 1973
148.	The Jammu and Kashmir Silk (Development and Protection) Act, 1988.	XXVIII of 1988
149.	The Jammu and Kashmir Special Security Group Act, 2000.	VI of 2000
150.	The Jammu and Kashmir Special Tribunal Act, 1988.	XIX of 1988
151.	Stamp Act, Svt. 1977.	XL of Svt. 1977
152.	The Jammu and Kashmir Tenancy Act, Svt. 1980.	II of Svt. 1980

S.No.	Name of the Act	Act/OrdinanceNo.
153.	The Jammu and Kashmir Tenancy (Stay of Ejectment Proceedings) Act, 1966.	XXXIII of 1966
154.	The Jammu and Kashmir State Town Planning Act, 1963.	XX of 1963
155.	The Jammu and Kashmir Treasure Trove Act, Svt. 1954.	---
156.	The Jammu and Kashmir Underground Public Utilities (Acquisition of Rights of User in Land) Act, 2014.	IV of 2014
157.	Urban Immovable Property Tax (Repeal and Saving) Act, 2002.	XXVIII of 2002
158.	The University of Ladakh Act, 2018.	Governor's Act No. LVI of 2018
159.	The Jammu and Kashmir Urban Property (Ceiling) Act, 1971.	XII of 1971
160.	Usurious Loans Act, Svt. 1977.	XLVII of Svt. 1977
161.	The Jammu and Kashmir Utilization of Lands Act, Svt. 2010.	IX of Svt. 2010
162.	The Jammu and Kashmir Vaccination Act, 1967.	XXI of 1967
163.	The Jammu and Kashmir Vegetable Seeds Act, Svt. 2009.	XII of Svt. 2009
164.	The Jammu and Kashmir State Vigilance Commission Act, 2011.	I of 2011
165.	The Jammu and Kashmir Water Resources (Regulation and Management) Act, 2010.	XXI of 2010
166.	The Jammu and Kashmir Willow (Prohibition on Export and Movement) Act, 2000.	XVI of 2000

ORDER

New Delhi, the 5th October, 2020.

S.O. 3466(E).—In exercise of the powers conferred by section 96 of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), and of all other powers enabling it in that behalf, the Central Government hereby makes the following Order in respect of the Union territory of Jammu and Kashmir, namely: —

1. (1) This Order may be called the Union Territory of Jammu and Kashmir Reorganisation (Adaptation of State Laws) Third Order, 2020.

(2) It shall come into force with immediate effect.

2. The General Clauses Act, 1897 applies for the interpretation of this Order as it applies for the interpretation of laws in force in the territory of India.

3. With immediate effect, the Acts mentioned in the Schedule to this Order shall, until repealed or amended by a competent Legislature or other competent authority, have effect, subject to the adaptations and modifications directed by the said Schedule, or if it is so directed, shall stand repealed.

4. Where this Order requires that in any specified section or other portion of an Act, certain words shall be substituted for certain other words, or the certain words shall be omitted, such substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that section or portion.

5. The provisions of this Order which adapt or modify or repeal any law so as to alter the manner in which, the authority by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the 31st October, 2019; and any such notification, order, commitment, attachment, bye-law, rule, regulation or anything may be revoked, varied or undone in the like manner, to the like extent and in the like circumstances as if it had been made, issued or done after the commencement of this Order by the competent authority and in accordance with the provisions then applicable to such case.

6. The repeal or amendment of any law specified in the Schedule to this Order shall not affect—

- (a) the previous operation of any law so repealed or anything duly done or suffered thereunder;
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed;
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019) or this Order had not been passed or issued.

THE SCHEDULE

(See Paragraph 3)

STATE LAWS**1. THE JAMMU AND KASHMIR MUNICIPAL ACT, 2000**

(XX of 2000)

Throughout the Act, for “State”, and “Government” substitute respectively “Union territory of Jammu and Kashmir” and “Government of the Union territory of Jammu and Kashmir”.

- Section 1 .—** In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Jammu and Kashmir”.
- Section 2.—**
- (i) Omit clause (1);
 - (ii) Renumber clause (2) as clause (1) and after clause (1) so renumbered, insert:-
“(2) “Board” means the Jammu and Kashmir Property Tax Board constituted under the Jammu and Kashmir Property Tax Board Act, 2010;” ;
 - (iii) For clause (12) substitute:-
“(12) “District Planning Committee” means a “District Planning Committee” constituted under section 47-A the Jammu and Kashmir Panchayati Raj Act, 1989;”
 - (iv) In clause (14-a), omit “being permanent residents of the State”;
 - (v) In clause (22-a), omit “being permanent residents of the State”;
 - (vi) After clause (29-a), insert:-
“(29-b) “Special Tribunal” means the Special Tribunal constituted under section 4 of the Jammu and Kashmir Special Tribunal Act, 1988”; and
 - (vii) After clause (31), insert:-
“(31A) “Taxable annual value” means the taxable annual value of any land and building or vacant land or both determined under section 73 for the purpose of assessment of property tax.”

Insertion of new section- After section 2, insert-

Substitution of expression. “2A. For the words “annual value” or “rateable value” wherever occurring in this Act, the words “taxable annual value” shall be substituted.”.

Insertion of new section -After Section 15, insert-

Qualification. “15A. A person shall not be qualified for being chosen as, and for being, a member of a municipality, unless-

- (a) he is a citizen of India;
- (b) he has attained the age of 25 years; and
- (c) his name is registered as an elector in the electoral roll of any ward in the municipal area.”.

Section 16. In sub-section (1), -

- (i) omit clause (a);
- (ii) in clause (b), for “the State Legislature.” substitute “the Legislative Assembly of the Union territory of Jammu and Kashmir; or” and omit the proviso thereto”;
- (iii) in clause (f), for “the Jammu and Kashmir State Ranbir Penal Code, Svt. 1989(1932 A.D.)”, substitute “the Indian Penal Code, (45 of 1860)”;
- (iv) in clause (k), for “Municipal fund” substitute “Municipal fund or any Department of the Government or local body or authority”.

Section 21.— For “the Jammu and Kashmir State Ranbir Penal Code, Svt. 1989 (1932 A.D.)” substitute “the Indian Penal Code, (45 of 1860)”.

Section 22.— Omit “through open ballot.”.

Insertion of new section -After section 33, insert-

Constitution of Ward Committees. “33A. (1) There shall be constituted a Ward Committee for each Ward of the Municipality within a period of six months from the date appointed for its first meeting referred to in sub-section (1) of section 27:

Provided that where a Municipality has been constituted before the commencement of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), the Ward Committee shall be constituted within two years from such commencement.

(2) Each Ward Committee shall consist of-

(i) the member of the municipality representing the ward, who shall be the chairperson of the Ward Committee;

(ii) not more than ten electors representing the civil society from the ward, to be nominated by the municipality in such manner as may be prescribed:

Provided that if the population of the ward does not exceed two thousand, the number of nominated members shall be four, and if the population of the ward exceeds two thousand, there shall be one additional member for every thousand population or part thereof in excess of two thousand:

Provided further that in reckoning the number of additional members of the Ward Committee exceeding four, any part of population less than one thousand shall be ignored:

Provided also that half of the persons to be nominated to the Ward Committee shall be women.; and

(iii) the representatives of Area Sabha.

Explanation.- For the purpose of this section, the expression civil society means any non-Governmental organisation or association of persons established, constituted or registered under any law for the time being in force, working for social welfare, and includes any community based organisation, residents welfare association, professional institution or any civic, health and educational institution or any social or cultural body or any trade or industrial organisation or other stakeholders or such other association or body, as may be prescribed.

(3) A person shall be disqualified for being nominated as, and for being, a member of the Ward Committee if he is disqualified for being chosen as, and for being, a member of a municipality under the provisions of this Act.

(4) The term of office of Ward Committee shall be co-terminus with the term of office of the municipality.

(5) The manner of conduct of business at the meetings of the Ward Committee shall be such as may be prescribed.

(6) The Ward Committee shall discharge the following functions, namely:

(i) supervision and monitoring of the -

(a) sanitation work and drainage maintenance;

(b) distribution of water supply;

(c) working of the street lights;

(d) minor repair of roads;

(e) maintenance of markets;

(f) maintenance of parks and playgrounds; and

(g) implementation of poverty alleviation programmes;

(ii) monitoring the functioning of schools, maternity centres, dispensaries and health centres wherever they are under control of the Municipality;

- (iii) facilitation in the collection of taxes;
 - (iv) preparation of list of beneficiaries for beneficiary oriented schemes, pensions and subsidies;
 - (v) prepare an annual ward development plan in a manner consistent with the rules to be prescribed;
 - (vi) map the ward infrastructure index;
 - (vii) preparation of inventory of municipal assets;
 - (viii) assistance in the implementation of all Government schemes; and
 - (ix) any other function as may be prescribed.
- (7) Every Ward Committee shall be empowered to
- (i) seek information from the Executive Officer regarding any matter relating to the ward;
 - (ii) obtain information about the Master Plan and Zonal Developmental Plan of the municipality;
 - (iii) obtain information relating to municipality budget;
 - (iv) be consulted in the development of land use and zoning regulations within the ward; and
 - (v) obtain full details of all revenue items relating to the Ward.
- (8) The Municipality shall allocate twenty percent. of the amount earmarked in the annual budget of the municipality for maintenance of services relating to sanitation, water supply, drainage, roads, street lighting, parks, markets etc. to all Ward Committees enabling them to perform the functions as specified in sub-section (6).
- (9) The Ward Committee may, from time to time, appoint from amongst its members such sub-committees, consisting of such number of members as it may think fit, and may refer to such sub-committees for enquiry or opinion any matter relating to the functions entrusted to it.

**Constitution of
Area Sabha.**

- 33B.** (1) Each ward in a municipality shall be divided into areas in such a manner that each such area shall, as far as possible, comprise of not less than five hundred and not more than one thousand people.
- (2) All the electors of an area of a ward shall constitute the Area Sabha for such area and every Area Sabha shall elect an Area Sabha Representative from amongst themselves.
- (3) The qualifications and disqualifications prescribed for being chosen as, and for being, a member of municipality under the provisions of this Act shall apply mutatis mutandis to the Area Sabha Representative.
- (4) The term of the Area Sabha Representative shall ordinarily be co-terminus with that of the municipality concerned.
- (5) The Area Sabha may, having regard to its managerial, technical, financial and organisational capacity and the actual conditions obtaining in the ward area perform and discharge the following functions and duties, namely:-
- (i) to formulate proposals and determine the priority of schemes and development programmes to be implemented in the area and forward the same to Ward Committee for inclusion in the development plan of the ward;
 - (ii) to identify the eligible persons for beneficiary oriented schemes on the basis of criteria fixed by the Government and prepare the list of beneficiaries in order of priority and forward the same to Ward Committee for inclusion in the development plan of the ward;

- (iii) to verify the eligibility of persons getting various kinds of welfare assistance from Government such as pensions and subsidies;
- (iv) to identify the deficiencies in water supply, street lighting and sanitation arrangements in the jurisdiction of the Area Sabha and to suggest the remedial measures to the Ward Committee;
- (v) to suggest the location of street lights, public taps, public wells, public toilets or any other public facility to the Ward Committee;
- (vi) to assist in the activities of public health centers in the area; and
- (vii) to undertake and support tax mapping.

(6) The Area Sabha, shall be empowered to-

- (i) obtain any information from the official concerned relating to the services and the works proposed to be provided or executed in the area by the Ward Committee;
- (ii) obtain information from the Ward Committee about every decision taken by them concerning the jurisdiction of the Area Sabha;
- (iii) obtain information from the Ward Committee relating to follow up action taken on the decisions concerning the area;
- (iv) impart awareness on matters of public interest such as cleanliness, preservation of the environment and prevention of pollution.

(7) The manner of conduct of business at the meetings of the Area Sabha shall be such as may be prescribed.

(8) The superintendence, direction and control for the preparation of the electoral rolls for, and the conduct of elections to, the seats of Area Sabha Representatives of the municipalities shall be vested in the Chief Electoral Officer.”.

Section 42.— In sub-section (1), for “the Jammu and Kashmir State Ranbir Penal Code, Svt. 1989 (1932 A.D.)” substitute “the Indian Penal Code, (45 of 1860)”.

Section 43.- After clause (u), insert

“(v) providing necessary administrative, financial and infrastructure support to the Ward Committee for its efficient performance of function and discharge of duties.”.

Section 46.— In sub-section (1), for “Code of Civil Procedure, Svt. 1977” substitute “Code of Civil Procedure 1908 (5 of 1908)”.

Section 60.— In sub-section (2), in the second proviso, for “the Jammu and Kashmir Charitable Endowment Act, 1989” substitute the “Charitable Endowment Act, 1890 (6 of 1890)”.

Section 61.— For “The Jammu and Kashmir Land Acquisition Act, Samvat, 1990” ,substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement, Act 2013 (30 of 2013)”.

Section 65.- In sub-section (1),for clause (a), substitute:-

“(a) taxes on lands and buildings or vacant lands or both situated within the municipal area (hereinafter referred to as ‘property tax’)”.

Section 66.- In sub-section (1),-

(i) omit clause (iii);

(ii) for clause (vi), substitute-

“(vi) a fee for infrastructure development on motor vehicles suitable for use on road within the municipality.

Explanation.- For the purpose of this clause the expression “motor vehicle” shall have the same meaning as assigned to it in the Motor Vehicles Act 1988 (Central Act 59 of 1988);”;

(iii) in clause (viii), omit “at a rate of one paisa”;

(iv) for clause (xiv), substitute-

“(xiv) a fee for the purpose of collection, transportation and disposal of solid waste.

Explanation.- For the purpose of this section ‘solid waste’, includes filth, offensive matter, rubbish sewage, trade effluent, trade refuse, waste from hospital and any other waste which is detrimental to public health;”;

(v) omit clause (xv).

Section 70- (i) for, “tax”, wherever occurring, substitute “tax or fee”; and

(ii) for sub-section (10), substitute-

“(10) A tax or fee leviable shall come into force from such date as may be notified.

Insertion of new section -After section 71, insert

Powers of Government to make interim arrangements with regard to assessment and collection of taxes and fees. “71A (1) The Government may, by notification, make such interim arrangements for the assessment and collection of one or more of the taxes and fees levied in terms of any of the provisions of this Chapter as may be deemed necessary or expedient, and the provisions of this Chapter in so far as they relate to the assessment and collection of any such tax or fee shall stand modified to the extent and in the manner given in the notification during the period such interim arrangements remain in force.

(2) Any interim arrangement so made shall be for a period of up to three years only:

Provided that, for good and sufficient reasons to be recorded in writing, the Government may extend such interim arrangements for a maximum period of up to five years:

Provided further that on the request of the municipality, the Government may extend such interim arrangements for such period and on such conditions as may be mutually agreed between the municipality and the Government”.

For sections 72 to 80, substitute-

Description and class of property tax. “72. (1) Unless exempted under this Act or any other law for the time being in force, property tax shall be levied on all lands and buildings or vacant lands or both situated within the municipal area.

(2) The property tax shall be levied at such percentage not exceeding fifteen per cent. of the taxable annual value of land and building or vacant land or both, as the Government may, by notification, from time to time specify.

Determination of taxable annual value. 73. (1) Subject to the provisions of section 68 and rules, if any, made by the Government in this behalf, the taxable annual value of land and building or vacant land assessable to taxes under this Act shall be calculated by multiplying the corresponding unit area value with the total built-up area of a building or the total area of land, as the case may be, minus depreciation, at such rates as may be prescribed, depending on the age of the building:

Provided that subject to such conditions and in such circumstances as it may deem fit, the municipality may, after passing a resolution in that behalf, in lieu of tax payable under this Act fix a lump sum amount not exceeding the sum payable under section 72 as annual tax for certain categories of property:

Provided further that such a resolution shall come into effect only if it is approved by the Government:

Explanation.- For purpose of sub-section (1), the expression 'unit area value' means the unit area value determined under the Jammu and Kashmir Property Tax Board Act, 2013.

(2) The property tax payable shall be reduced by twenty-five percent. in respect of a self-occupied building used for residential purpose and such class of self-occupied non-residential building as may be notified by the Government on the recommendation of the municipality.

(3) The person liable to pay the property tax shall pay the tax in two equal installments, the first being before 30th May and the second by the 30th November of each financial year:

Provided that the owner or occupier may, if he so chooses, pay the tax in one installment:

Provided further that if the owner or occupier who is liable to pay property tax files return and also pays property tax for the whole year within one month from the date of commencement of the financial year, he shall be allowed a rebate of ten per cent. on the tax payable by him.

(4) Before any owner or occupier submits any return under sub-section (5), he shall pay in advance half year tax calculated or the full amount of the property tax payable by him for the year on the basis of such return declared by him as being true and complete.

(5) Every owner or occupier, who is liable to pay property tax under this Act, shall every year submit to the Executive Officer or any officer authorised by him in this behalf a return in the prescribed form within the stipulated period and in the prescribed manner.

(6) In order to facilitate filing of return by an owner or occupier of any building or vacant land or both and assessment of property tax under this section, the Board shall, from time to time, issue guidelines for determining the taxable annual value of the property and the tax payable thereon.

(7) Every return filed by an owner or occupier shall be deemed to be assessed to tax except in cases where the Executive Officer or any officer authorised by him take up cases for random scrutiny in such manner as may be prescribed.

(8) For the purpose of random scrutiny of the return filed or in cases where returns are not filed as required under sub-section (5) in respect of any building or land or both, the Executive Officer or any officer authorised by him in this behalf may enter any land or building for inspection, survey or measurement after giving notice to the owner or occupier and the owner or the occupier shall be bound to furnish necessary information required and based on such inspection and information collected, the Executive Officer or such other officer, as the case may be, shall assess the property tax subject to sub-sections (10) and (11) and send a copy of the order of assessment to the owner or occupier concerned:

Provided that no such entry shall be made into and upon any building or vacant land before sunrise and after sunset.

(9) If the owner or occupier of the property refuses to allow the authorised officer to enter the premises for inspection, survey or measurement, the officer shall, after intimating such owner or occupier in this behalf, record the refusal and proceed to assess the property to the best of his judgment:

Provided that in case of a building used as human dwelling, due regard shall be paid to the social and religious customs of the occupiers thereof and no residential premises in the actual occupancy of a women shall be entered until she has been informed that she is at liberty to withdraw and every facility has been afforded to her for withdrawing.

(10) Upon random scrutiny, if the Executive Officer or the officer authorised by him in this behalf has reasons to believe that any return furnished, which is deemed as assessed, is incorrect or has been under-assessed resulting in evasion of property tax, he may, on the basis of information available on record and after physical inspection, proceed to re-assess the property after giving a reasonable opportunity to the tax payer to make a representation in this behalf.

(11) After making re-assessment under sub-section (10), the Executive Officer or the authorised officer, shall issue a notice of re-assessment to the tax payer demanding that the re-assessed tax shall be paid within thirty days of the service of the notice:

Provided that if the tax re-assessed is higher than the tax remitted along with the returns by more than five per cent. the evaded tax shall be payable by such person together with a penalty of not less than two times of the tax so evaded along with interest for the difference in tax paid and payable calculated at twelve percent. per annum.

(12) The owner or occupier may either accept the property tax assessed and the penalty levied under sub-section (11) or send objections to the Executive Officer or the authorised officer within thirty days from the date of receipt of the notice under sub-section (11).

(13) The Executive Officer or the officer authorised by him shall consider the objections, if any, received under sub-section (12) and pass such orders either confirming or revising such re-assessment within a period of sixty days from the date of filing of objections and send a copy of the order to the concerned tax payer.

(14) An assessment or re-assessment under this section shall not be made on expiry of three years after-

- (i) filing the tax return under this section;
- (ii) the evidence of fact justifying re-assessment, comes to the knowledge of the Executive Officer or the officer authorised by him in this behalf.

(15) In computing the period of limitation specified for assessment or re-assessment, as the case may be, under this Act, the period taken for the disposal of any appeal against an assessment order or other proceedings by the appellate authority, tribunal or competent court shall not be taken into account.

(16) The property tax assessed and levied under this section shall be subject to revision once in three years by enhancing the tax by such percentage not exceeding ten percent. of the tax as may be prescribed, commencing from the financial year from which the property tax is determined under this section (hereinafter referred to as base year):

Provided that the non-assessment of property tax under this section during the block period of three years shall not be applicable to a building which undergoes any addition, change of use, alteration, or variation and the owner or occupier shall report such changes within six months from the date of completion or occupation, whichever is earlier, along with the revised return and tax:

Provided further that nothing contained in this sub-section shall be deemed to affect the powers of the Board to order an earlier revision of property tax for reasons to be recorded in writing and after giving a reasonable opportunity of filing objections to the person liable to pay tax.”

Incidence of tax. 74. (1) The property tax shall be primarily leviable and payable as follows:-

- (a) if the land or building is let, upon the lessor;
- (b) if the land or building is sub-let, upon the superior lessor;

(c) if the land or building is unlet, upon the person in whom the right to let the same vests.

(2) If any land has been let for a term exceeding one year to a tenant and such tenant has built upon the land, the property tax assessed in respect of that land and the building erected thereon shall be primarily leviable upon the said tenant, whether the land, building or both are in the occupation of such tenant or a sub-tenant of such tenant.

Explanation.—The term “tenant” includes any person deriving title to the land or building erected upon such land from the tenant whether by operation of law or by transfer inter vivos.

(3) Assessment of any building to a tax under this Act would not imply or be proof of the fact that the building is an authorised one.

Duty to furnish information.

75. (1) Every person shall, on the demand of any officer duly authorised by the municipality in this behalf, furnish such information as may be necessary in order to ascertain—

(a) the name and place of a residence of the owner or occupier or of both of such land or building;

(b) the measurements or dimensions of such land or building or vacant land or both or any portion thereof and whether the property has been let out or otherwise and its usage; and

(c) any details required in connection with the determination of the taxable annual value.

(2) Every owner or occupier on whom any such requisition is made shall be bound to comply with the same and give true information to the best of his knowledge or belief.

(3) Whoever omits to comply with any such requisition or fails to give true information to the best of his knowledge or belief shall, in addition to the tax levied, be also liable for penalty which may not be less than the tax so payable.

Evidentiary value of assessment list and unit area value.

76. The entries in the assessment list prepared under section 16, and the unit area value determined under section 18, of the Jammu and Kashmir Property Tax Board Act, 2013 shall be accepted as conclusive evidence for the purposes of assessing any tax levied under this Act and taxable annual value of land and building or vacant land or both to which such entries or determination respectively relate.”

Tax not invalid for defect of form.

77. No assessment and no charge or demand of any tax made under this Act shall be called in question on the ground, or be affected by reason, of any mistake in the name, residence, place of business or occupation of any person liable to pay the tax, or of any mistake in the amount of assessment or tax, or of any clerical error or other defect of form; and it shall be enough in respect of any such tax on property if the property taxed or assessed is so described as to be generally known; and it shall not be necessary to name the owner or occupier thereof.

Notice on transfer of title.

78.(1) Whenever the title to or over any building or land of any person primarily liable for the payment of property tax on such property is transferred, the transferee and the transferor shall within three months, of the registration of the deed of transfer if it be registered, or of its execution if it be not registered, or of the actual transfer if no instrument is executed, give notice in writing of such transfer to the municipality.

(2) If a person who is primarily liable for the payment of a tax on any property transfers his title on, or over, such property, and fails to give notice of such transfer to the municipality as aforesaid, he shall, in addition to any other liability which he incurs through such neglect, continue to be liable for payment of all such taxes from time to time payable in respect of the said property until he gives such notice or until the transfer is recorded in the books of the municipality.

(3) Whenever the title on or over any building or land has devolved upon any person by inheritance, the heir shall, within three months of the date of the death of the former owner, give notice in writing of such inheritance to the municipality.

(4) Nothing in this section shall diminish the liability of the transferee or heir for the said taxes or to affect the prior claim of the municipality for the recovery of the taxes due thereupon.

(5) Whoever contravenes the provisions of sub-sections (1) or (3) shall, in addition to any other penalty which he incurs through such neglect, be punishable with a fine which shall not be less than one thousand rupees and not more than five thousand rupees, and in the case of a continuing breach, with a further fine of one hundred rupees for every day after the first conviction till the breach continues.

Notice of erection of building etc.

79. When any new building is erected, or any existing building is reconstructed or altered or improved, or when any building which has been vacant is re-occupied, the person primarily liable to pay tax under this Act shall give notice thereof in writing to the Executive Officer within fifteen days from the date of its completion or occupation, whichever first occurs or as the case may be, from the date of its alteration, improvement or re-occupation and the tax shall be assessable on the building from the said date.

Notice of demolition or removal of building.

80. (1) When any building or any portion thereof, which is liable to tax under this Act, is demolished or removed, otherwise than by or under an order of the Executive Officer, the person primarily liable for the payment of the tax shall give notice thereof in writing to the Executive Officer.

(2) Until notice is given under sub-section (1), the person primarily responsible for payment of tax shall continue to be liable to pay such taxes as he would have been liable to pay in respect of such building if the same or any portion thereof had not been demolished or removed.”.

Section 81.- Omit.

For sections 82 and 83, substitute-

Power of Government to exempt payment of taxes.

“82.(1) The Government may, by order exempt, in whole or in part, from the payment of any tax payable under this Act by any person or class of persons or in respect of any property or description of property.

(2) If at any time, it appears to the Government on complaint made or otherwise, that any tax imposed is unfair in its incidence or that the levy thereof or of any part thereof is detrimental to the interests of the general public, it may require the municipality to take within a specified period measures to remove the objections; and, if within that period the requirement is not complied with to the satisfaction of the Government, it may, by notification, suspend the levy of tax or of such part thereof until the objection has been removed.

Taxation of Union Properties.

83. Notwithstanding anything contained in the foregoing provisions of this Chapter, lands and buildings or vacant lands or both being properties of Union of India shall be exempted from the taxes:

Provided that nothing in this section shall prevent the Municipality from levying a service charge on any property of the Central Government which is exempted from payment of property tax under this section, at the rate upto five per centum of the taxable annual value of such land and building.”.

Section 84.- Omit.

Section 85.- Omit.

Section 87.- In sub-section (1), for “any moveable property” substitute “any moveable property including any sum of money due or likely to become due to such defaulter from any person or entity including a bank, a Department of the Government, or any other entity by whatever name called,”

Section 88.- Omit.

For sections 89 to 92, substitute-

Taxes on lands and buildings as first charge.

“89. Taxes due under this Act in respect of any land and building or vacant land or both shall, subject to the prior payment of the land revenue if any due to the Government, be a first charge thereon.

Explanation.- The term “taxes” in this section shall be deemed to include the cost of recovery thereof and the penalty, if any, payable under this Act.

Appeal.

“90. (1) An appeal against-

- (i) the levy of any tax or fee; or
- (ii) the refusal to refund any tax or fee; or
- (iii) the calculation of taxable annual value of any property; or
- (iv) the assessment or re-assessment of any tax payable; or
- (v) any penalty imposed,

under this Act shall lie to the Jammu and Kashmir Property Tax Board.

(2) If on the hearing of an appeal under this section, any question as to the liability to, or the principle of assessment of tax arises on which the Board entertains reasonable doubt, the Board may, either of its own motion or on an application of any person interested, draw up a statement of the facts of the case and the point on which doubt is entertained and refer the statement with its own opinion on the point for the decision of the High Court.

(3) If the High Court is not satisfied that the statements contained in the case are sufficient to enable it to determine the questions raised thereby, the Court may refer the case back to the Board, to make such additions thereto or the alterations therein as the Court may direct in that behalf.

(4) The High Court, upon the hearing of any such case, shall decide the questions raised thereby, and shall deliver its judgment thereon containing the grounds on which decision is founded.

(5) The High Court shall send to the Board a copy of such judgment under the seal of the Court and signature of the Registrar; and the Board shall, on receiving such copy, dispose of the case conformably to such judgment.

(6) In every appeal, the costs shall be in the discretion of the Board.

(7) The costs awarded under this section in favour of a municipality shall be recoverable by the municipality as if they were arrears of a tax, due from the appellant.

(8) If the municipality fails to pay the costs awarded to an appellant within ten days after the date of the order for payment thereof, the Board may order the person having the custody of the balance of the municipal fund to pay the amount.

Limitation for appeal.

91. (1) No appeal shall lie under section 90 unless it is preferred within one month after the order appealed against is made or in respect of any tax within one month from the time when the demand for the tax is made:

Provided that an appeal may be admitted after the expiration of the period prescribed under this section, if the appellant satisfies the Board that he had sufficient cause for not presenting the appeal within that period.

(2) No appeal shall be entertained unless the appellant has paid all other municipal taxes due from him to the municipality up to the date of such appeal.

Revision. 92. Any person aggrieved by an order passed in appeal under section 90 may within thirty days of the passing of such order prefer an application before the Special Tribunal for revision against the said order and the Tribunal may confirm, alter or rescind the said order:

Provided that the Tribunal shall not pass an order under this section prejudicial to any person without giving such person reasonable opportunity of being heard.”.

Section 93.- Omit.

Section 162.— For “the State Ranbir Penal Code, Svt. 1989”, substitute “the Indian Penal Code (45 of 1860)”.

Section 215.— For “section 15 of the Jammu and Kashmir Wild Life (Protection) Act, 1978” substitute “Wild Life (Protection) Act, 1972(53 of 1972)”.

Section 243.— In sub-section (2), for “the Jammu and Kashmir Land Acquisition Act, Samvat, 1990” substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, Act 2013 (30 of 2013)”.

After section 248, insert-

Eviction of unauthorised occupant.

“248A. (1) Notwithstanding anything contrary contained in this Act or in any other law for the time being in force, if the Executive Officer is of the opinion that any person is in unauthorised occupation of any property and that he should be evicted, the Executive Officer shall issue, in the manner hereinafter provided, a notice in writing calling upon that person to show cause as to why an order of eviction should not be passed.

(2) If, after considering the reply, if any, given by such person in pursuance of a notice under sub-section (1) and any evidence he may produce in support of the same, and after giving him a reasonable opportunity of being heard, the Executive Officer is satisfied that the property is in unauthorised occupation, the Executive Officer shall make an order of eviction, for reasons to be recorded therein, directing that the property shall be vacated by all persons who may be in occupation thereof or any part thereof, and cause a copy of the order to be made public.

(3) If any person refuses to, or fails to comply with, the order of eviction within thirty days of the date of service of order under sub-section (2), the Executive Officer shall evict that person and take possession of the said property and may, for the purpose, call upon the officer in charge Police Station of the area to render such assistance as may be necessary for evicting that person.

(4) Where any person has been evicted from any property under sub-section (3), the Executive Officer may, after giving a notice to the person from whom possession of the property has been taken and after publishing such notice in at least two daily news papers having wide circulation in the locality, remove or cause to be removed any article remaining on such property and may make an order for the proper custody of such article:

Provided that if the owner of the article refuses or fails to take delivery thereof after notice or if the article is subject to speedy and natural decay, the Executive Officer may cause it to be disposed of by public auction and deliver the sale proceeds thereof, after deduction of cost incurred on such public auction, to such owner.

(5) Any person aggrieved by an order of the Executive Officer made in respect of any property under sub-section (3) or sub-section (4) may prefer an appeal to the District Judge having jurisdiction over the area in which the property is located within a period of thirty days from the date of order.

(6) Notwithstanding anything contained in this Act or in any other law for the time being in force, nothing done or purported to have been done under this section shall be called in question in any Court except as provided under sub-section (5).

Explanation.- For the purpose of this section, “unauthorised occupations” means occupation by any person of any property, being the property of the Municipality or where Municipality has any interest in such property, without authority for such occupation and includes the continuance in occupation by any person of such property after the authority, whether by way of lease, mortgage or otherwise, under which he was authorised to occupy such property, has expired.”.

- Section 256.-** In sub-section (1), for “audited by a separate and independent auditing agency under the control of Director”, substitute “audited by the Comptroller and Auditor General of India”.
- Section 260.—** In sub-section (1), for “the Code of Civil Procedure, Svt. 1977” substitute “the Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 261.—** For “the District and Development Board” substitute “the District Planning Committee constituted under section 47-A of the Jammu and Kashmir Panchayati Raj Act, 1989”.
- Section 262.—** (i) For “The District Planning and Development Board” wherever occurring, substitute “The District Planning Committee”;
- (ii) In sub-section (1) for “section 45” substitute “section 47-A”;
- (iii) omit sub-section (2); and
- (iv) re-number existing sub-sections (3) and (4) as sub-sections (2) and (3) respectively.
- Section 263.—** In sub-section (1), in the Explanation, for “the Jammu and Kashmir State Ranbir Penal Code, Svt. 1989 (1932 A.D.)” substitute “the Indian Penal Code (45 of 1860)”.
- Section 273.—** In sub-section (1), in clause (a), for “the Jammu and Kashmir State Ranbir Penal Code, Svt. 1989” substitute “the Indian Penal Code (45 of 1860)”.
- Section 286.—** In sub-section (1), in clause (c), for “the Code of Civil Procedure, Svt. 1977” substitute “the Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 289.—** (i) In sub-section (1), in clause (c), for “the Code of Civil Procedure, Svt. 1977” substitute “the Code of Civil Procedure, 1908 (5 of 1908)”;
- (ii) in sub-section (2), for “Evidence Act, Samvat 1977”, substitute “Indian Evidence Act, 1872 (1 of 1872)”.
- Section 291.—**(i) For “the Code of Civil Procedure, Svt. 1977” substitute “the Code of Civil Procedure, 1908 (5 of 1908)”;
- (ii) in clause (g), for “sections 345 and 346 of the Code of Criminal Procedure, Samvat, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 292.—** For “section 93 of the of the Jammu and Kashmir Representation of the People Act, 1957” substitute “The Representation of the People Act, 1951 (43 of 1951)”.
- Section 294.—** In sub-section(2), for “the State Ranbir Penal Code, Svt. 1989” substitute “the Indian Penal Code (45 of 1860)”.

For section 307, substitute-

Posts in Municipality and appointments thereto.

“307.(1) The Government may, for ensuring efficient management of the affairs of the Municipalities and other urban bodies, and to sub serve the common good, establish one or more Urban Service or Services as may be considered necessary, and each such Service shall comprise of such number, classes and categories of posts as may be prescribed.

(2) The qualifications, method of recruitment, reservation, deputation, transfer from one urban body to another, seniority, salaries, leave, allowances, pension gratuity and other conditions of service including disciplinary matters of officers and servants in each of these Services shall be such as may be prescribed.

(3) Notwithstanding anything contained in this Act or any other law for the time being in force, a person appointed to an Urban Service constituted in terms of this section shall not be deemed to have been appointed under any civil service or post under the Government.”

Insertion of new section -After section 307, insert-

Power of Government to appoint officers and servants. “307 A (1) The Government or any officer authorised by it in this behalf may appoint such officers and servants as it considers necessary for the efficient discharge of duties by the Municipality.

(2) The salary, allowances, gratuity, pension contribution and other payments required to be made, in accordance with the conditions of the services to the officers and officials employed for the discharge of duties of the Municipality under this Act, shall be charged from the Municipal Fund in the prescribed manner.”.

2. THE JAMMU AND KASHMIR MUNICIPAL CORPORATION ACT, 2000 (XXI of 2000)

Throughout the Act, (i) for “State” substitute respectively “Union territory of Jammu and Kashmir” ; and, (ii) for “rateable value” substitute “taxable annual value”.

Section 1 .— In sub section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Jammu and Kashmir”.

Section 2.— (i) After clause (1), insert-

“(1A) “Board” shall mean the Jam- mu and Kashmir Property Tax Board constituted under the Jammu and Kashmir Property Tax Board Act, 2013;” ;

(ii) In clause (6), omit “of the State”;

(iii) For clause (14), substitute:-

“(14) “District Planning Committee” means a “District Planning Committee” constituted under section 47-A of the Jammu and Kashmir Panchayati Raj Act, 1989;”;

(iv) In clause (17-a),

(a) omit “being permanent residents of the State”; and

(b) for “the dimension 4 meter x 7.5 meter and carpet area within the range of 25 square meters to 30 square meters” substitute “such dimension as may be prescribed”;

(v) In clause (27-a),

(a) omit “being permanent residents of the State”; and

(b) for “dimension 4.5 meter x 10 meter and floor area of not exceeding 50 square meter in case of flatted accommodation” substitute “such dimension as may be prescribed”;

(vi) Omit clause (49); and,

(vii) After clause (60), insert-

“(60A) “Taxable annual value” means the taxable annual value of any land and building or vacant land or both determined under section 88 for the purpose of assessment of property tax;”.

Section 7. (i) Omit clause (a); and,
(ii) in clause (b), for “eighteen years” substitute “twenty-five years”;

Section 8.— (a) In sub-section (1),-(i) for “the Legislature of the State:” wherever occurring substitute “Legislative Assembly of the Union territory of Jammu and Kashmir;” and omit the proviso thereto;

(ii) in clause (f), in sub-clause (ii), omit “section 171-E or 171-f of the Jammu and Kashmir State Ranbir Penal code Samvat, 1989 or any offence punishable under”;

(iii) in clause (o), omit “of State”;

(iv) in clause (p), for “Code of Criminal Procedure, Samvat, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”;

(v) in clause (q), for “Corporation” substitute “Corporation or any Department of the Government or local body or authority”;

(b) in sub-section (8), omit “or the Legislative Council occurring at both the places”

Section 11.— In sub-section (2), in Explanation-I for “section 16 of the Jammu and Kashmir Representation of the People Act, 1957 substitute “Representation of the People Act, 1951 (43 of 1951) ”.

Section 14.— In sub-section (4), in clause (c) for “Code of Civil Procedure, Svt. 1977” substitute “Code of Civil Procedure 1908 (5 of 1908)”.

Section 17.— For “Code of Civil Procedure, Svt. 1977” substitute “Code of Civil Procedure 1908 (5 of 1908)”.

Section 21.— (i) In clause (i), for “section 132 of the of the Jammu and Kashmir Representation of the People Act, 1957” substitute “Representation of the People Act, 1951 (43 of 1951)”;

(ii) in clause (ii), for “sub-section (2) of 132 of the Jammu and Kashmir Representation of the People Act, 1957” substitute “Representation of the People Act, 1951”.

Section 31.— In sub-section (1), in clause (h)—

(i) after sub-clause (vi), insert -

“(vi-a) the manner of giving and recording of votes by means of voting machines and the procedure as to voting to be followed at polling stations where such machines are used ”;

(ii) after sub-clause (viii), insert-

“(viii-a) the procedure as to counting of votes recorded by means of voting machines”;

(iii). for sub-clause (ix), substitute-

“(ix) the custody of voting machines and disposal of papers relating to elections ”;

(iv) for sub-clause (xi), substitute -

“(xi) the holding of fresh poll in case of destruction of, or tampering with ballot boxes or voting machines, or mechanical failure of voting machines, before the count”.

Section 33.— Omit “and Constitution of Jammu and Kashmir as by law established”.

- Section 36.—**
- (i) in sub-section (1), omit “and thereafter at the expiration of two years and six months,” and “through open ballot”;
 - (ii) in sub-section (2)-
 - (a) for “two years and six months” substitute “five years”; and,
 - (b) for “:” at the end of first proviso substitute “.” and omit the second proviso.

Insertion of new section -After section 39, insert

Constitution of Ward Committees.

“**39A.**(1) There shall be constituted by the Corporation a Ward Committee for each ward in a Corporation within a period of six months from the date appointed for its first meeting referred to in sub-section (1) of section 36:

Provided that where a Corporation has been constituted before the commencement of the Jammu and Kashmir Reorganization Act, 2019,(34 of 2019)the Ward Committee shall be constituted within two years from such commencement.

(2) Each Ward Committee shall consist of-

- (i) the member of the Municipal Corporation representing the ward, who shall be the chairperson of the Ward Committee;
- (ii) the Area Sabha representative, if any, of the area situated in the ward; and
- (iii) not more than ten electors representing the civil society from the ward, to be nominated by the Municipal Corporation in such manner as may be prescribed:

Provided that if the population of the ward does not exceed ten thousand, the number of nominated members shall be four, and if the population of the ward exceeds ten thousand, there shall be one additional member for every four thousand population or part thereof in excess of ten thousand:

Provided further that in reckoning the number of additional members of the Ward Committee exceeding four, any part of population less than four thousand shall be ignored:

Provided also that half of the persons to be nominated the expression to the Ward Committee shall be women.

Explanation.- For the purpose of this section and section 39B, the expression “civil society means any non-Governmental organisation or association of persons established, constituted or registered under any law for the time being in force, working for social welfare, and includes any community based organisation, residents welfare association, professional institution or any civic, health and educational institution or any social or cultural body or any trade or industrial organisation or other stakeholders or such other association or body, as may be prescribed.

(3) A person shall be disqualified for being nominated as, and for being, a member of the Ward Committee if he is disqualified for being chosen as, and for being, a member of a Municipal Corporation under the provisions of this Act.

(4) The term of office of Ward Committee shall be co-terminus with the term of office of the Municipal Corporation.

(5) The manner of conduct of business at the meetings of the Ward Committee shall be such as may be prescribed.

(6) The Ward Committee shall discharge the following functions, namely:-

- (i) supervision and monitoring of the -
 - (a) sanitation work and drainage maintenance;
 - (b) distribution of water supply;
 - (c) working of the street lights;
 - (d) minor repair of roads;
 - (e) maintenance of markets;
 - (f) maintenance of parks and playgrounds; and
 - (g) implementation of poverty alleviation programmers;
- (i) monitoring the functioning of schools, maternity centres, dispensaries and health centres wherever they are under control of the Municipal Corporation;
- (ii) facilitation in the collection of taxes;
- (iii) preparation of list of beneficiaries for beneficiary oriented schemes, pensions and subsidies;
- (iv) prepare an annual ward development plan in a manner consistent with the rules to be prescribed;
- (v) map the ward infrastructure index;
- (vi) preparation of inventory of municipal assets; assistance in the implementation of all Government schemes; and
- (vii) any other function as may be prescribed.

(7) Every Ward Committee shall be empowered to-

- (i) seek information from the Commissioner regarding any matter relating to the ward;
- (ii) obtain information about the master plan and zonal developmental plan of the Municipal Corporation;
- (iii) obtain information relating to Municipal Corporation budget;
- (iv) be consulted in the development of land use and zoning regulations within the ward; and
- (v) obtain full details of all revenue items relating to the Ward.

(8) The Municipal Corporation shall allocate twenty percent. of the amount earmarked in the annual budget of the Municipal Corporation for maintenance of services relating to sanitation, water supply, drainage, roads, street lighting, parks, markets etc. to all Ward Committees enabling them to perform the functions as specified in sub-section (6).

(9) The Ward Committee may, from time to time, appoint from amongst its members such sub-committees, consisting of such number of members as it may think fit, and may refer to such sub-committees for enquiry or opinion any matter relating to the functions entrusted to it.

Constitution of Area Sabha

39B. (1) Each ward in a Municipal Corporation shall be divided by the Corporation into areas in such a manner that each such area shall, as far as possible, comprise of not less than one thousand and not more than two thousand people.

(2) All the electors of an area of a ward shall constitute the Area Sabha for such area and every Area Sabha shall elect an Area Sabha Representative from amongst themselves.

(3) The qualifications and disqualifications prescribed for being chosen as, and for being, a member of Municipal Corporation under the provisions of this Act shall apply mutatis mutandis to the Area Sabha Representative.

(4) The term of the Area Sabha Representative shall ordinarily be co-terminus with that of the Municipal Corporation concerned.

(5) The Area Sabha may, having regard to its managerial, technical, financial and organisational capacity and the actual conditions obtaining in the ward area perform and discharge the following functions and duties, namely:-

- (i) to formulate proposals and determine the priority of schemes and development programmes to be implemented in the area and forward the same to Ward Committee for inclusion in the development plan of the ward.
- (ii) to identify the eligible persons for beneficiary-oriented schemes on the basis of criteria fixed by the Government and prepare the list of beneficiaries in order of priority and forward the same to Ward Committee for inclusion in the development plan of the ward.
- (iii) to verify the eligibility of persons getting various kinds of welfare assistance from Government such as pensions and subsidies;
- (iv) to identify the deficiencies in water supply, street lighting and sanitation arrangements in the jurisdiction of the Area Sabha and to suggest the remedial measures to the Ward Committee;
- (v) to suggest the location of street lights, public taps, public wells, public toilets or any other public facility to the Ward Committee.
- (vi) to assist in the activities of public health centers in the area; and
- (vii) to undertake and support tax mapping.

(6) The Area Sabha, shall be empowered to-

- (i) obtain any information from the official concerned relating to the services and the works proposed to be provided or executed in the area by the Ward Committee.
- (ii) obtain information from the Ward Committee about every decision taken by them concerning the jurisdiction of the Area Sabha;
- (iii) obtain information from the Ward Committee relating to follow up action taken on the decisions concerning the area; and
- (iv) impart awareness on matters of public interest such as cleanliness, preservation of the environment and prevention of pollution.

(7) The manner of conduct of business at the meetings of the Area Sabha shall be such as may be prescribed.

(8) The superintendence, direction and control for the preparation of the electoral rolls for, and the conduct of elections to, the seats of Area Sabha Representatives of the Municipal Corporation shall be vested in the Chief Electoral Officer.”.

- Section 40.—** (i) In sub-section (1),-
- (a) in clause (a), for “General Functions Committee” substitute “Executive Committee”;
 - (b) in clause (c), omit “and”; and
 - (c) in clause (d), substitute the sign full stop (.) by sign semi-colon (;) and thereafter, add the following clauses, namely,-
 - “(e) Housing for All Committee;
 - (f) Skill Up-gradation and Self Employment Committee; and
 - (g) Swacch Bharat Committee.”;
- (ii) in sub-section (2), substitute the full stop at the end of the proviso by colon and thereafter insert the proviso-
- “Provided further that the Executive Committee shall consist of the Mayor, who shall be its Chairman, a member representing largest opposition group or party in the Corporation, four members to be elected by the elected members of the Corporation and the Commissioner who shall be its ex-officio Secretary.”;
- (iii) for sub-section (3), substitute-
- “(3) The Executive Committee shall perform functions relating to the establishment matters, communications, construction of roads and buildings, housing, relief against natural calamities and all residuary matters and shall be empowered to-
- (i) make recommendations on all policy matters for discussion and decision by the General Council;
 - (ii) approve the budget;
 - (iii) approve all development plans, annual action plans and works plans;
 - (iv) approve contracts above rupees one crore or such higher amount as the corporation may fix; and
 - (v) make recommendations to the General Council about staffing pattern in the Corporation and all other service matters.”;
- (iv) after sub-section (6), insert -
- “(6A) The Housing for All Committee shall perform functions related to monitoring and review of progress under the Prime Minister Awas Yojana.
 - (6B) The Skill Up-gradation and Self Employment Committee shall perform functions related to monitoring and review of progress under the National Urban Livelihood Mission.
 - (6C) The Swacch Bharat Committee shall perform functions related to monitoring and review of progress under the Swacch Bharat Mission.”;
- (v) for sub-section (7), substitute -
- “(7) The Mayor shall be the ex-officio member and also the Chairman of the Executive Committee and the Finance and Planning Committee and the Deputy Mayor shall be the ex-officio member and also the Chairman of the Housing for All Committee and Skill Up-gradation and Self Employment Committee.”.

Section 42.-- In sub-section (1),-

- (i) after clause (a), insert-
 - “(aa) the preparation of plans for urban planning including town planning ;

- (ab) the preparation of city development plans;”;
- (ii) in clause (b), after sub-clause (xv) insert-
“(xvi) Fire services;”.

Section 43.- After clause (u), insert –

“(v) providing necessary administrative, financial and infrastructure support to the Ward Committee for its efficient performance of function and discharge of duties.”.

Section 50.-- For “the Corporation and its Mayor”, substitute “the Corporation”.

For section 67, substitute-

Posts in Corporation and appointments thereto.

“67. (1) The Government may, for ensuring efficient management of the affairs of the Municipal Corporations and other urban bodies, and to subserve the common good, establish one or more Urban Service or Services as may be considered necessary and each such Service shall comprise of such number, classes and categories of posts as may be prescribed.

(2) The qualifications, method of recruitment, reservation, deputation, transfer from one urban body to another, seniority, salaries, leave, allowances, pension gratuity and other conditions of service including disciplinary matters of officers and servants in each of these Services shall be such as may be prescribed.

(3) Notwithstanding anything contained in this Act or any other law for the time being in force, a person appointed to an Urban Service constituted in terms of this section shall not be deemed to have been appointed under any civil service or post under the Government.”

Staff.

67A (1) The Government or any officer authorised by it in this behalf may appoint such officers and servants as it considers necessary for the efficient discharge of duties by the Corporation.

(2) The salary, allowances, gratuity, pension contribution and other payments required to be made, in accordance with the conditions of the services to the officers and officials employed for the discharge of duties of the Corporation under this Act, shall be charged from the Corporation Fund in the prescribed manner.”.

Section 84.—

(i) In sub-section (1), for clause (a) substitute “(a) taxes on land and buildings or vacant lands or both situated within the Municipal Corporation area (hereinafter referred to as property tax);”;

(ii) In sub-section (2),-

(a) in clause (e), omit “at a rate not exceeding 2 paise”;

(b) for clause (g), substitute-

“(g) water tax; and

(h) any other tax that may be imposed under the Jammu and Kashmir Municipal Act, 2000.”; and

(iii) In sub-section 3, before “bye-laws”, insert “rules and”.

Section 85.—

In sub-section (1), for clause (vii) substitute-

“(vii) a fee for infrastructure development on motor vehicles suitable for use on road within the city.

Explanation.- For the purpose of this clause the expression “motor vehicle” shall have the same meaning assigned to it is the Motor Vehicles Act 1988 (Central Act 59 of 1988);

- (viii) a fee for the purpose of collection, transportation and disposal of solid waste.

Explanation.- For the purpose of this section solid waste, includes filth offensive matter, rubbish sewage, trade effluent, trade refuse, waste from hospital and any other waste which is detrimental to public health;

- (ix) any other fee as the Corporation may deem fit by for services rendered by it.”

Section 86.— For section 86, substitute-

Description and class of property tax.

“**86.** (1) Unless exempted under this Act or any other law for the time being in force, property tax shall be levied on all lands and buildings or vacant lands or both situated within the Municipal Corporation.

(2) The property tax shall be levied at such percentage, not being more than fifteen per cent. of the taxable annual value of land and building or vacant land or both, as the Government may, by notification, from time to time specify:

Provided that the Government may exempt certain classes or categories of persons or lands and buildings, or vacant lands or both from the payment of the property tax.

(3) Notwithstanding any exemption granted under sub-section (2), it shall be open to the Corporation to collect service charges for providing civic amenities and for general or specific services rendered at such rates as may be specified by the Corporation by notification.”.

\Section 87.--Omit.

Section 88.-- For section 88, substitute-

Determination of taxable annual value.

“**88.** (1) Subject to the provisions of section 86 and rules, if any, made by the Government in this behalf, the taxable annual value of land and building or vacant land assessable to taxes under this Act shall be calculated by multiplying the corresponding unit area value with the total built-up area of a building or the total area of land, as the case may be, minus depreciation, at such rates as may be prescribed, depending on the age of the building:

Provided that subject to such condition and in such circumstances as may be notified by the Commissioner, the Municipal Corporation may, in lieu of tax payable under this Act, fix a lump sum amount as annual tax for a certain category of properties.

Explanation.-For purpose of sub-section (1), the “unit area valu” means the unit area value determined under the Jammu and Kashmir Property Tax Board Act, 2013.

(2) The property tax payable shall be reduced by twenty -five percent. in respect of a self-occupied building used for residential purpose and such class of self-occupied non-residential building as may be notified by the Government on the recommendation of the Corporation.

(3) The person liable to pay the property tax shall pay the tax in two equal installments, the first being before the 30th May and the second by the 30th November of each financial year:

Provided that the owner or occupier may, if he so chooses, pay the tax in one installment:

Provided further that if the owner or occupier who is liable to pay property tax files return and also pays property tax for the whole year within one month from the date of commencement of the financial year, he shall be allowed a rebate of ten percent. on the tax payable by him;

Provided also that the Government may, on the recommendation of the Corporation, by notification, extend the time limit for the payment of property tax without penalty and for the benefit of ten percent. rebate in respect of the financial year 2020-21.

(4) Before any owner or occupier submits any return under sub-section (5), he shall pay in advance half year tax calculated or the full amount of the property tax payable by him for the year on the basis of such return declared by him as being true and complete.

(5) Every owner or occupier who is liable to pay property tax under this Act, shall every year submit to the Commissioner or any officer authorised by him in this behalf a return in prescribed form within the stipulated period and in the prescribed manner.

(6) In order to facilitate filing of return by an owner or occupier of any building or vacant land or both and assessment of property tax under this section, the Commissioner shall, from time to time, issue guidelines for determining the taxable annual value of the property and the tax payable thereon.

(7) Every return filed by an owner or occupier shall be deemed to be assessed to tax except in cases where the Commissioner or any officer authorised by him take up cases for random scrutiny in such manner as may be prescribed.

(8) For the purpose of random scrutiny of the return filed or in cases where returns are not filed as required under sub-section (5) in respect of any buildings or lands or both, the Commissioner or any officer authorised by him in this behalf may enter any land or building for inspection, survey or measurement after giving notice to the owner or occupier and the owner or the occupier shall be bound to furnish necessary information required and based on such inspection and information collected, the Commissioner or such other officer shall assess the property tax subject to sub-sections (10) and (11) and send a copy of the order of assessment to the owner or occupier concerned:

Provided that no such entry shall be made into and upon any building or vacant land before sunrise and after sunset.

(9) If the owner or occupier of the property refuses to allow the authorised officer to enter the premises for inspection, survey or measurement, the officer shall, after intimating such owner or occupier in this behalf, record the refusal and proceed to assess the property to the best of his judgment:

Provided that in case of a building used as human dwelling, due regard shall be paid to the social and religious customs of the occupiers thereof and no residential premises in the actual occupancy of a women shall be entered until she has been informed that she is at liberty to withdraw and every facility has been afforded to her for withdrawing.

(10) Upon random scrutiny, if the Commissioner or the officer authorised by him in this behalf has reasons to believe that any return furnished, which is deemed as assessed, is incorrect or has been under-assessed resulting in evasion of property tax, he may, on the basis of information available on record and after physical inspection, proceed to re-assess the property after giving a reasonable opportunity to the tax payer to make a representation in this behalf.

(11) After making re-assessment under sub-section (10), the Commissioner or the authorised officer, shall issue a notice of re-assessment to the tax payer demanding that the re-assessed tax shall be paid within thirty days of the service of the notice:

Provided that if the tax re-assessed is higher than the tax remitted along with the returns by more than five percent, the evaded tax shall be payable by such person together with a penalty of not less than two times of the tax so evaded along with interest for the difference in tax paid and payable calculated at twelve percent. per annum.

(12) The owner or occupier may either accept the property tax assessed and the penalty levied under sub-section (11) or send objections to the Commissioner or the authorised officer within thirty days from the date of receipt of the notice under sub-section (11).

(13) The Commissioner or the officer authorised by him shall consider the objections, if any, received under sub-section (12) and pass such orders either confirming or revising such re-assessment within a period of sixty days from the date of filing of objections and send a copy of the order to the concerned tax payer.

(14) An assessment or re-assessment under this section shall not be made on expiry of three years after-

- (i) filing the tax return under this section;
- (ii) the evidence of fact justifying re-assessment, comes to the knowledge of the Commissioner or the officer authorised by him in this behalf.

(15) In computing the period of limitation specified for assessment or re-assessment, as the case may be, under this Act, the period taken for the disposal of any appeal against an assessment order or other proceedings by the appellate authority, tribunal or competent court shall not be taken into account.

(16) The property tax assessed and levied under this section shall be subject to revision once in three years by enhancing the tax by such percentage not exceeding fifteen percent. of the tax as may be prescribed, commencing from the financial year from which the property tax is determined under this section (hereinafter referred to as base year):

Provided that the non-assessment of property tax under this section during the block period of three years shall not be applicable to a building which undergoes any addition, change of use, alteration, or variation, and the owner or occupier shall report such changes within six months from the date of completion or occupation, whichever is earlier, along with the revised return and tax:

Provided further that nothing contained in this sub-section shall be deemed to affect the powers of the Government to order an earlier revision of property tax for reasons to be recorded in writing and after giving a reasonable opportunity of filing objections to the person liable to pay tax.”.

Section 89.-- For the proviso substitute-

“Provided that nothing in this section shall prevent the Corporation from levying a service charge on any property of the Central Government which is exempted from payment of property tax under this section, at the rate upto five per centum of the taxable annual value of such land and building.”.

Section 90.-- In sub-section (1) for “taxes on lands and buildings” substitute “property tax”.

Section 91.-- Omit.

Section 92.-- Omit .

Section 93.-- Omit .

Section 94.-- Omit.

For section 95, substitute-

Evidentiary value of assessment list and unit area value.	“95. The entries in the assessment list prepared under section 16, and the unit area value determined under section 18, of the Jammu and Kashmir Property Tax Board Act, 2013 shall be accepted as conclusive evidence for the purposes of assessing any tax levied under this Act and taxable annual value of land and building or vacant land or both to which such entries or determination respectively relate.”.
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Section 96.-- Omit.

Section 97.-- Omit.

Section 98.— In sub- section (6), for “the Registration Act Samvat, 1977” substitute “the Registration Act, 1908 (16 of 1908)”.

Section 122.-- In sub-section (1), in the proviso, after clause (a) insert “(aa) Property Tax.”.

Section 124.-- In clause (ii), after “property”, insert “including any sum of money due or likely to become due to such defaulter from any person or entity including a bank, a department of the Government, or any other entity by whatever name called.”.

For section 126, substitute-

Demolition, etc. of building.	“126. If any building is wholly or partly demolished or destroyed or otherwise deprived of value, the Commissioner may, on the application in writing from the owner or occupier and after conducting such enquiry as may be necessary, accept the revised return filed by the applicant and adjust the tax for the subsequent period.”
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Section 127.-- Omit .

Section 128.-- Omit.

Section 129.-- Omit.

Section 130.-- Omit.

Section 131.-- Omit.

For section 132, substitute-

Appeal.	<p>“132. (1) An appeal against-</p> <ul style="list-style-type: none"> (i) the levy of any tax or fee; or (ii) the refusal to refund any tax or fee; (iii) the calculation of taxable annual value of any property; or (iv) the assessment or re-assessment of any tax payable; or (v) any penalty imposed,
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under this Act shall lie to the Jammu and Kashmir Property Tax Board.

(2) If on the hearing of an appeal under this section, any question as to the liability to or the principle of assessment of a tax arises on which the Board entertains reasonable doubt, the Board may, either of its own motion or on an application of any person interested, draw up a statement of the facts of the case and the point on which doubt is entertained and refer the statement with its own opinion on the point for the decision of the High Court.

(3) If the High Court is not satisfied that the statements contained in the case are sufficient to enable to it determine the questions raised thereby, the Court may refer the case back to the Board , to make such additions thereto or the alterations therein as the Court may direct in that behalf.

(4) The High Court, upon the hearing of any such case, shall decide the questions raised thereby, and shall deliver its judgment thereon containing the grounds on which decision is founded.

(5) The High Court shall send to the Board a copy of such judgment under the seal of the Court and signature of the Registrar; and the Board shall, on receiving such copy, dispose of the case conformably to such judgment.

(6) In every appeal, the costs shall be in the discretion of the Board.

(7) The costs awarded under this section in favour of a Municipal Corporation shall be recoverable by the Corporation as if they were arrears of a tax, due from the appellant.

(8) If the Municipal Corporation fails to pay the costs awarded to an appellant within ten days after the date of the order for payment thereof, the Board may order the person having the custody of the balance of the municipal fund to pay the amount.”.

For section 133, substitute-

Limitation for appeal

“133. (1) No appeal shall lie under section 132 unless it is preferred within one month after the order appealed against is made or in respect of any tax within one month from the time when the demand for the tax is made:

Provided that an appeal may be admitted after the expiration of the period prescribed under this section, if the appellant satisfies the Board that he had sufficient cause for not presenting the appeal within that period.

(2) No appeal shall be entertained unless the appellant has paid all other taxes due from him to the Municipal Corporation up to the date of such appeal.”.

Insertion of new section -After section 143, insert-

Powers of Government to make interim arrangements with regard to assessment and collection of taxes and fees.

“143A. (1) The Government may, by notification, make such interim arrangements for the assessment and collection of one or more of the taxes and fees levied in terms of any of the provisions of this Chapter as may be deemed necessary or expedient, and the provisions of this Chapter insofar as they relate to the assessment and collection of any such tax or fee shall stand modified to the extent and in the manner given in the notification during the period such interim arrangements remain in force.

(2) Any interim arrangement so made shall be for a period of upto three years only:

Provided that for good and sufficient reasons to be recorded in writing, the Government may extend such interim arrangements for a maximum period of upto five years:

Provided further that on the request of the Corporation, the Government may extend such interim arrangements for such period and on such conditions as may be mutually agreed between the Corporation and the Government.”.

Section 156.—

For “State Land Acquisition Act, Samvat, 1990” substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, Act 2013 (30 of 2013)”.

Section 159.--

For clause (c), substitute-

“(c) every contract involving an expenditure up to rupees one crore or such higher amount as the Corporation may fix, may be made by the Commissioner and contracts exceeding one crore or the higher amount so fixed by the Corporation, may be made by the Executive Committee.”.

- Section 161.--** In sub-section (3), for “audited by a separate and independent auditing agency under the control of Director” substitute “audited by the Comptroller and Auditor General of India”.
- Section 162.--** In sub-section (4), for “to each member” substitute “to each member of the Corporation and the Government which shall, as soon as may be, lay the said report in the Legislative Assembly the Union territory of Jammu and Kashmir”.
- Section 233.—** For “the Cattle Trespass Act, Samvat 1977” substitute “the Cattle-trespass Act, 1871 (1 of 1871)”.
- Section 237.--** In sub-section (1), in clause (a), for “determine the name or number” substitute “determine the number”.
- Section 285.—** In sub-section (2), for “the Jammu and Kashmir State Ranbir Penal Code, Svt. 1989” substitute “the Indian Penal Code (45 of 1860)”.
- Section 333.—** In sub-section (1), in clause (a) for “The State Land Acquisition Act, Samvat, 1990” substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Re-settlement, Act 2013 93 of 2013”.
- Section 379.—** For “the Code of Civil Procedure, Svt. 1977” substitute “the Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 383.—** In clause (a), for “the Code of Civil Procedure, Svt. 1977” substitute “the Code of Civil Procedure, 1908 (5 of 1908)”.

Insertion of new section -After section 383, insert-

Eviction of unauthorised occupants.

“**383A.** (1) Notwithstanding anything contrary contained in this Act or in any other law for the time being in force, if the Commissioner is of the opinion that any person is in unauthorised occupation of any property and that he should be evicted, the Commissioner shall issue, in the manner hereinafter provided, a notice in writing calling upon that person to show cause as to why an order of eviction should not be passed.

(2) If, after considering the reply, if any, given by such person in pursuance of a notice under sub-section (1) and any evidence he may produce in support of the same, and after giving him a reasonable opportunity of being heard, the Commissioner is satisfied that the property is in unauthorised occupation, the Commissioner shall make an order of eviction, for reasons to be recorded therein, directing that the property shall be vacated by all persons who may be in occupation thereof or any part thereof, and cause a copy of the order to be made public.

(3) If any person refuses to, or fails to comply with, the order of eviction within thirty days of the date of service of order under sub-section (2), the Commissioner shall evict that person and take possession of the said property and may, for the purpose, call upon the officer in charge Police Station of the area to render such assistance as may be necessary for evicting that person.

(4) Where any person has been evicted from any property under sub-section (3), the Commissioner may, after giving a notice to the person from whom possession of the property has been taken and after publishing such notice in at least two daily newspapers having wide circulation in the locality, remove or cause to be removed any article remaining on such property and may make an order for the proper custody of such article:

Provided that if the owner of the article refuses or fails to take delivery thereof after notice or if the article is subject to speedy and natural decay, the Commissioner may cause it to be disposed of by public auction and deliver the sale proceeds thereof, after deduction of cost incurred on such public auction, to such owner.

(5) Any person aggrieved by an order of the Commissioner made in respect of any property under sub-section (3) or sub-section (4) may prefer an appeal to the District Judge having jurisdiction over the area in which the property is located within a period of thirty days from the date of order.

(6) Notwithstanding anything contained in this Act or in any other law for the time being in force, nothing done or purported to have been done under this section shall be called in question in any Court except as provided under sub-section (5).

Explanation.- For the purpose of this section, ‘unauthorised occupation’ means occupation by any person of any property, being the property of the Corporation or where Corporation has any interest in such property, without authority for such occupation and includes the continuance in occupation by any person of such property after the authority, whether by way of lease, mortgage or otherwise, under which he was authorised to occupy such property, has expired.”.

- Section 384.--** For “five hundred rupees” and “fifty rupees”, substitute “two thousand rupees” and “one hundred rupees”, respectively.
- Section 393.--** In sub-section (1), for “one thousand rupees”, substitute “two thousand rupees”.
- Section 395.--** For “Subject to the provisions of this Act” substitute “Subject to the provisions of this Act and the rules made thereunder”.
- Section 413.—** In sub-section (1), for “the Code of Civil Procedure, Svt. 1977” substitute “the Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 414.—** For “the Jammu and Kashmir State Ranbir Penal Code, 1989” substitute “the Indian Penal Code (45 of 1860)”.
- Section 421.—**
- (i) For “The District Planning and Development Board” wherever occurring, substitute “The District Planning Committee”;
 - (ii) omit sub-section (3); and
 - (iii) re-number existing sub-sections (3),(4) and (5) as sub-sections (2) (3) and (4) respectively.

3. THE JAMMU AND KASHMIR SCHOOL EDUCATION ACT, 2002 (XXI of 2002)

Throughout the Act, for “Government Gazette” and “State” substitute respectively “Official Gazette” and “Union territory of Jammu and Kashmir”.

- Section 1. -**
- (i) In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Jammu and Kashmir”; and
 - (ii) after sub-section (3), insert

“(4) Nothing in this Act shall affect the application of the Right of Children to Free and Compulsory Education Act, 2009”.
- Section 2. -**
- (i) Omit clause (c);
 - (ii) in clause (e), for “District Education Officer” substitute “Chief Education Officer”;
 - (iii) in clause (h), for “Government of Jammu and Kashmir” substitute “Government of the Union territory of Jammu and Kashmir”;
 - (iv) in clause (o), for “State of Jammu and Kashmir” substitute “Union territory of Jammu and Kashmir”.

Sections 6, 7, 8, 9 and 10. — Omit.

Insertion of new section -After section 20, insert-

Constitution of Fee Fixation and Regulation Committee of private schools.	<p>20A.The Government shall constitute a Committee to be known as the “Committee for Fixation and Regulation of Fee of Private Schools” for the purposes of regulating and determining the fee in private schools in the Union territory.</p> <p>(2) The Committee shall be headed by a Chairperson who has been a Judge of a High Court or a Government Officer who has been a Financial Commissioner of the Union territory or above.</p> <p>(3) The members of the Committee shall be such as may be prescribed by the Government.</p> <p>(4) The Chairperson may co-opt any other independent person of repute or a representative of a recognised School Association as an expert member, but the total number of members of the Committee shall not exceed five.</p>
Term of office and other conditions of service of Chairperson.	<p>20B.The term of office and other conditions of service of the Chairperson of the Committee for Fixation and Regulation of Fee of Private Schools shall be such as may be prescribed by the Government.</p>
Powers and functions of Committee.	<p>20C.(1) Subject to the provisions of this Act or any other law for the time being in force, the Committee for Fixation and Regulation of Fee of Private Schools shall exercise such powers and perform such functions as may be prescribed by the Government to ensure that the private schools are not indulging in commercialisation of education and undue profiteering.</p> <p>(2) The Government may by notification, delegate any of the powers vested in the Committee for Fixation and Regulation of Fee of Private Schools to the Chairperson of the said Committee, to the extent as may be prescribed.</p> <p>(3) Orders passed by the Committee for Fixation and Regulation of Fee of Private Schools shall be deemed to have been duly passed by a public servant and its violation or non-compliance shall amount to disobedience under the provisions of section 188 of Indian Penal Code (45 of 1860).</p>
Determination of fee.	<p>20D.(1)The Committee for Fixation and Regulation of Fee of Private Schools shall while determining the fee to be charged by the private schools established after August, 2014 take into account inter alia the location, available infrastructure, expenditure on administration, aid, assistance and support in any form received by the private school from the Government or any other person or agency or any other factors as may be prescribed.</p> <p>(2) The Committee for Fixation and Regulation of Fee of Private Schools may from time to time issue notification for fixing maximum ceiling of the fee to be charged under various categories.</p>
Fee to be charged by private schools.	<p>20E.(1) The private schools shall not charge any fee from the students or guardians, except tuition fee, annual fee, transport fee and voluntary special purpose fee such as the picnic, tour and excursions, etc. completely voluntary in nature or any other fee as may be approved by the Committee for Fixation and Regulation of Fee of Private Schools after following the procedure prescribed:</p> <p>Provided that private schools shall not charge in any manner, any other fee including admission fee or any amount, by whatever name called than the fee mentioned above.</p>
Power to call for records.	<p>20F.The Committee for Fixation and Regulation of Fee of Private Schools may at any stage call the record of any school for scrutiny if it comes to the conclusion that the private school has violated or is not adhering to its directions.</p>

- Staff of Committee.** **20G.**(1)The Committee for Fixation and Regulation of Fee of Private Schools shall, for the purpose of assisting it in the discharge of its functions, be provided by the Government, such officers and employees as may be determined from time to time by the Government, in consultation with the Chairperson of the Committee.
- (2) All establishment charges of the Committee for Fixation and Regulation of Fee of Private Schools shall be borne by the Government.
- (3) The terms and conditions of service of the officers and employees referred to in sub-section (1) shall be such as may be determined by the Government, from time to time.
- (4) In the discharge of their functions under this Act, the officers and employees referred to in sub-section (1) shall be subject to the exclusive administrative control and direction of the Committee.
- Sub-committees.** **20H.**The Government may constitute such other sub-committees at Divisional or Districts level with such powers and functions as it may deem fit to effectively regulate the fee in private schools.
- Power to make regulations.** **20-I.**The Committee for Fixation and Regulation of Fee of Private Schools may, by notification, make such regulations as it may deem necessary for carrying out the purpose of the said Committee.
- Powers of Civil Court.** **20J.**The Committee for Fixation and Regulation of Fee of Private Schools shall for the purposes of making any inquiry or initiating any proceedings under this Act, have the same powers as are vested in a Civil Court, under the Code of Civil Procedure, 1908(5 of 1908).”

Section 22. - Omit.

For section 25, substitute-

- Bar of jurisdiction.** **“25.** (1) Notwithstanding anything to the contrary contained in the Code of Civil Procedure, 1908(5 of 1908) or any other law for the time being in force, no court shall grant any injunction or make any interim order restraining any proceedings which is being or is about to be taken under this Act.
- (2) No suit, prosecution or other legal proceedings shall lie against the Chairperson or any member of the Committee for Fixation and Regulation of Fee of Private Schools or any officer or other employee or any person acting under the direction either of the Government or of the said Committee in respect of anything which is in good faith done or intended to be done in pursuance of the provisions of this Act or the rules or regulation or orders made thereunder.”.

For section 27, substitute-

- Penalties.** **“27.** (1)Whoever contravenes any of the provisions of this Act or rules made thereunder except the violation of directions issued by the Committee for Fixation and Regulation of Fee of Private Schools shall be liable to a fine of not less than fifteen thousand rupees for first offence and fifty thousand rupees for every subsequent offence by the Director School Education concerned.
- (2) Any person or private school which contravenes the directions of the Committee for Fixation and Regulation of Fee of Private Schools shall be liable to a fine of not less than fifty thousand rupees for first offence and one lakh rupees for every subsequent offence including recommendation for disaffiliation of such private school by the said Committee.”.

Insertion of new section -After section 28, insert—

Revision and appeal . “28 A. (1) Any person aggrieved of any order passed by the authority under sub-section (1) of section 27 may file a revision petition before the Director School Education concerned within a period of thirty days from the date of the order in such form and manner as may be prescribed.

(2) Any person or private school aggrieved by any order made by the Committee for Fixation and Regulation of Fee of Private Schools in exercise of its powers conferred under sub-section (2) of section 27 may prefer an appeal against such order to the common High Court of Jammu and Kashmir within a period of thirty days from the date of the order.”.

Section 29.— In sub-section (2), omit clause (g).

4. THE JAMMU AND KASHMIR BOARD OF SCHOOL EDUCATION ACT, 1975
(XXVIII of 1975)

Preamble.— For “in the State” substitute “in the Union territory of Jammu and Kashmir”.

Section 1.— (i) In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Jammu and Kashmir”;

(ii) after sub-section (3), insert-

“(4) Nothing in this Act shall affect the application of the Right of Children to Free Education Act, 2009 (35 of 2009)”.

Section 2. — (i) For clause (a), substitute —

“(a) “Affiliated” with its grammatical variations and cognate expressions used with reference to an institution means affiliated or deemed to be affiliated to the Board for the purposes of admission to the privileges of the Board;

(aa) “Board” means the Board of School Education established under section 3”;

(ii) for clause (c), substitute -

“(c) “Elementary Education” means education at the elementary stage in a school corresponding to Grades I to VIII as per courses of study prescribed by a competent academic authority;”;

(iii) after clause (d), insert-

“(da) “Head of the Institution” means Headmaster or Principal or any other Principal or Academic Officer, by whatever designation called, of an affiliated institution;”;

(iv) in clause (e), for “in the State or outside” substitute “in the Union territory or outside”;

(v) for clause (h), substitute -

“(h) “Recognised” with its grammatical variations and cognate expressions, used with reference to institutions means recognised schools or institutions by the Government for imparting education to the students at Pre-primary, Elementary, Secondary, Higher Secondary or Teachers Training level;” and

(vi) for clause (m), substitute -

“(m) “Training Institution” means a training institution run privately or by the Government, and recognised by the Government and affiliated to the Jammu and Kashmir Board of School Education”.

Section 3. — In sub-section (1), for “Elementary Education” substitute “Pre-primary Education, Elementary Education”.

For Section 4, substitute —

Composition of Board “4. The Board shall consist of following members, namely:-

- (i) Chairman, Jammu and Kashmir Board of School Education;
- (ii) Administrative Secretary, School Education Department;
- (iii) Administrative Secretary, Youth Service and Sports Department;
- (iv) Director School Education, Kashmir;
- (v) Director School Education, Jammu;
- (vi) Director State Council of Educational Research and Training, Jammu and Kashmir or representative of National Council of Educational Research and Training to be nominated by the Chairman, National Council of Educational Research and Training;

(Vii)-(Viii). Two representatives not below the rank of Head of Departments from Universities and institutes of eminence e.g. Indian Institute of Technology/Indian Institute of Management/All India Institute of Medical Sciences situated in Jammu and Kashmir to be nominated by the Lieutenant Governor of Jammu and Kashmir;

(ix)-(x). Two eminent educationist unconnected with the administration, to be nominated by the Lieutenant Governor of Jammu and Kashmir;

(xi)-(xii). Two officers to be nominated by the Lieutenant Governor from amongst the Principals, Headmasters and Headmistress of teaching institutions of the union territory.”.

Section 10. — (i) In clause (i), insert “Pre-primary” before “Elementary” and insert “Elementary Teachers Training Course” after “examinations”;

(ii) In clause (ii), after “Courses”, insert “and Teacher Training Education Courses”;

(iii) In clause (iii), after “Board”, insert “through electronic and print media”;

(iv) In clause (v), after “Higher Secondary Courses”, insert “and Teachers Training Courses, etc.”;

(v) for clause (xv), substitute -

“(xv) call for reports from the concerned Director of School Education about the working and facilities available in a school applying for affiliation with the Board”;

(vi) in clause (XVII), insert “Pre-primary” after “relating to” and insert “and Teachers Training Courses” after “education”;

(vii) for clause (xviii), substitute -

“(xviii) to frame regulations for implementing various provisions of this Act.”;

(viii) for clause (xxvii), substitute -

“(xxvii) (a) to constitute or appoint different Boards of Studies for different subjects of studies at different stages including elementary teacher education;

(b) to undertake printing and publication of textbooks prepared or developed and approved by the concerned Courses Committee”;

(ix) for clause (xxviii), substitute -

“(xxviii) to liaise with different sister organisations at the national level including the Council of Boards of Secondary Education (COBSE), the National Council of Educational Research and Trainings (NCERT), the National Council for Teacher Education (NCTE) for furthering the objectives of this Act.”.

Section 13. —

For sub-section (4), substitute -

“(4) If in the opinion of the Chairman any emergency has arisen which requires that immediate action should be taken, he shall take such action as he deems appropriate and shall thereafter, report the action taken to the Board at its next meeting or a meeting convened for the purpose:

Provided that the Chairman shall as soon thereafter as may be, report his action together with reasons thereof to the office, authority or other body of the Board or the Board, as the case may be, who or which would ordinarily have dealt with the matter:

Provided further that no appointment of any nature, whatsoever, shall be made under these powers:

Provided also that no promotions of any nature, whatsoever, shall be made under these powers.”.

After section 17, insert —

**Director
Academics.**

“17A. The Director Academics shall be the whole time paid officer of the Board and shall be appointed by the Government from amongst senior and competent academicians or educationists having a deep understanding on various issues including that of curriculum making, teaching-learning methodology, contemporary advances in cognitive learning and all such related matters.

**Powers
and functions of
Director
Academics.**

17 B. Subject to the control and regulations of the Board, the Director Academics, shall head such Divisions of the Board as may be provided in the regulations for realisation of various educational objectives of the Board including that of-

(a) preparation of curricula for different stages of education;

(b) preparation of curricula for various Teacher Education Courses;

(c) preparation of curricula for Vocational Courses and Physical Education;

(d) development of material or books for various stages of education, promotion and development of quality education in the Union territory;

(e) reviewing, revising or preparing scheme or schemes of examinations.

(f) conducting orientation courses in new methods of evaluation;

(g) conducting refresher courses of teachers in new schemes/teaching new curricula.”

After section 22, insert-

Financial Advisor.

“22A. (1)The Administrative Secretary, Finance Department, or any officer nominated by the Government of Union territory of Jammu and Kashmir shall be the ex officio Financial Advisor to the Board.

(2) The Financial Advisor shall be an ex-officio member of the Board and its Finance Committee.

(3) The Financial Advisor shall exercise such powers and performs such duties as may be prescribed by the Statutes and regulations made under this Act.”.

Section 33. — In sub-section (2), in clause (d) for “recognition” occurring at both the places substitute “affiliation”.

Section 34. — Omit.

For section 35, substitute-

Copies of regulations and alterations thereof. of “ **35.** A copy of every regulation made by the Board under section 33 and of every modification or revision thereof shall be submitted to the Government for information.”.

Section 36 . — For “High School and Higher Secondary School Education” substitute “High School, Higher Secondary School and Elementary Teacher Training Education”.

For section 37, substitute—

Admission of institutions to privileges of Board. “**37.**(1) Any Institution, in or outside the Union territory, may apply to the Board for being admitted to the privileges of the Board and the Board may, subject to such conditions and restrictions as may be prescribed, admit such institution to the privileges of the Board.

(2) Where the Board is satisfied that its privileges are being abused by any affiliated institutions or that the prescribed conditions or restrictions are not being complied with by such institutions, the Board may withdraw its privileges from the institutions, and thereon the institution shall cease to be an affiliated institution:

Provided that before withdrawing the privileges, the Board shall require the institution to showcase why such action should not be taken and consider any explanation which may be furnished by it.”.

For section 40, substitute—

Meetings of Board. (1) The Board shall hold its meetings at least four times in a year but three months shall not intervene between its last meeting and the next following meeting.

(2) The Chairman shall preside every meeting of the Board.

(3) All matters in a meeting of the Board shall be decided by the vote of the majority of the members present and voting:

Provided that in the case of equality of votes, the Chairman shall, in addition to his vote as a member, have a casting vote.

(4) Two-third of the total membership shall form a quorum at a meeting of the Board:

Provided that if a meeting is adjourned for want of quorum, no quorum shall be necessary at the next meeting for transacting the same business.

(5) Copy of the proceedings of every meeting of the Board shall be sent to the Government by the Secretary as soon as the meeting is held.

(6) No action taken, or proceedings taken, under this Act by the Board shall be invalid merely on the ground of the existence of any vacancy amongst members, or by reason of defect or irregularity in its constitution or any irregularity in procedure not affecting the merits of the case.”.

For section 43, substitute –

- Legal proceedings .** “43. No suit shall be instituted against the Board, or any member thereof, or any of its officers or other employees, or any person acting under the directions of the Board or any member or any officer or other employees of the Board in respect of any act done or purporting to have been done in pursuance of this Act or any rule or regulation made thereunder until the expiration of two months after notice, and in any other case, delivered to, or left at the office or place of abode of, the person to be sued and unless such notice state explicitly the cause of action, the nature of relief sought, the amount of compensation claimed and the name and place of residence of the intending plaintiff and unless the plaint contains a statement that such notice has been so left or delivered.
- Copy right.** 43A. (1) Copy right of all materials developed, printed and published by the Board shall vest with the Board itself.
- (2) The Board may get material pertaining to School Education developed, published or printed from any agency as it may consider appropriate in the public interest.
- Summary powers of recovery.** 43B. In case any sum is recoverable by the Board of School Education from any person on account of purchase, sale transportation, printing, storage or transit shortage of books and printing material or other sums found to have been misappropriated by the officials of the Board, the said sum of money shall be recoverable from such person and the procedure of recovery shall be the same as prescribed under section 90 of the Land Revenue Act, 1996.”

5. THE JAMMU AND KASHMIR COOPERATIVE SOCIETIES ACT, 1989

(X of 1989)

Throughout the Act, for “the Transfer of Property Act, Samvat, 1977” wherever occurring substitute “the Transfer of Property Act, 1882 (4 of 1882)”.

- Section 1.** – In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Jammu and Kashmir”.
- Section 3.** – In sub-section (1), for “the whole State” substitute, “the Union territory of Jammu and Kashmir”.
- Section 10.** – In sub-section (1), for “programmes of the State”, substitute, “programmes of the Union territory of Jammu and Kashmir”.
- Section 16.** – In sub-section (1), in first proviso for “each House of the State Legislature” substitute, “Legislative Assembly of the Union territory of Jammu and Kashmir”.
- Section 17.** – In sub-section (1), in clause (a), –
- (a) in sub-clause (i), for “the Jammu and Kashmir Contract Act, Samvat, 1977” substitute “the Indian Contract Act, 1872(9 of 1872)”; and
 - (b) in clause (c), for “the Jammu and Kashmir Societies Registration Act, Samvat, 1998” substitute “the Societies Registration Act, 1860(21 of 1860)”.
- Section 30.-** (a) In sub-section (1),-
- (i) in the first proviso, for “such extension shall not exceed six months”, substitute “such extension shall not exceed one year at a time up to maximum period of two years”; and
 - (ii) in the second provisoomit “only”.

(b) in sub-section (7),-

- (i) for “in writing by the Reserve Bank” substitute “in consultation with the Reserve Bank”; and
- (ii) for “not exceeding one year” substitute “not exceeding two years”.

Section 30-A.- After sub-section (2), insert-

“(3) Notwithstanding anything contained in section 29 or section 30, where the Government or the Registrar has appointed a Board of Management or the Administrator, as the case may be, to manage the affairs of any Society before the commencement of the Jammu and Kashmir Reorganisation (Adaptation of State Laws) **Third** Order, 2020 and elections for the constitution of the Committee for any such Society have not been held before such commencement, such Board of Management or the Administrator, may continue to manage the affairs of the Society concerned for a period not exceeding two years from the said constitution and the elections shall be held within such period for re-constitution of the Board or Committee in accordance with provisions of this Act:

Provided that where the Board of Management has ceased to function before the commencement of the Jammu and Kashmir Reorganisation (Adaptation of State Laws) Order, 2020 or where the society is in default or is negligent to the performance of duties imposed on it by this Act or the rules or by-laws made thereunder or has committed any act which is prejudicial to the interest of the Society or its members, the Government may appoint Administrator or Transitory Board for two years or such period as may be determined by the Government.”.

After section 30-A, insert -

Transitory provision for revival of certain Cooperative Banks.

“**30-B.** (1) Notwithstanding anything contained in section 29 or section 30 or any other provisions of this Act,-

- (a) the Government may constitute such Professional Boards, as may be necessary for managing the affairs of the Central Cooperative Banks including Anantnag Central Cooperative Bank Ltd, the Baramulla Central Cooperative Bank Ltd. and the Jammu Central Cooperative Bank Ltd. for implementation of the revival package(s) sanctioned by the Government of India or the Government of the Union territory of Jammu and Kashmir so as to enable these Central Cooperative Banks to achieve a Capital Risk Adequacy Ratio (CRAR) as may be required;
 - (b) from the date of constitution of such Professional Boards under clause (a), the existing Board of Directors or Board of Management of the concerned Banks shall cease to exist; and
 - (c) the Professional Boards constituted under clause (a) shall manage the affairs of these Banks for a period of two years or such other period as may be specified by the Government from time to time taking into consideration the impact of revival package and financial health of these Banks.
- (2) Notwithstanding anything contained in section 32-A, for managing the affairs of the Cooperative Banks as mentioned in clause (a) of sub-section (1), the Government or Professional Boards as constituted under sub-section (1) may appoint Managing Director or such officers for such period and on such terms and conditions as may be determined by the Government or the Professional Board.”.

Section 32-A.- For “any other law for the time being in force”, substitute “any other law for the time being in force and subject to overall supervision and control of the Government”.

Section 35. – In the proviso to clause (i), –

- (a) for “State Government” substitute “Government of the Union territory of Jammu and Kashmir”; and

(b) omit “subject to the provisions of section 140 of the Transfer of Property Act, Samvat 1977”.

- Section 40.** – For “the Jammu and Kashmir Registration Act Samvat 1977” substitute “the Registration Act, 1908 (16 of 1908)”.
- Section 60.** – In clause (b), for “section 20 of the Trust Act, Samvat 1977”, substitute “section 20 of the Indian Trust Act, 1882 (2 of 1882)”.
- Section 64.** – In sub-section (1C), for “on the request of the Reserve Bank in the manner and form” substitute “in consultation with the Reserve Bank and the National Bank within the time”.
- Section 79.** – In sub-section (1), for “the State” substitute “the Union territory of Jammu and Kashmir”.
- Section 80.** – In clause (h), omit “under the Jammu and Kashmir Land Reforms Act”.
- Section 86.** – In sub-section (2), for “State” substitute “Union territory of Jammu and Kashmir”.
- Section 94.** – For “the Registration Act Samvat 1977”, substitute “the Registration Act, 1908 (16 of 1908)”.
- Section 107.** – In sub-section (1), for “the Jammu and Kashmir Registration Act Samvat 1977”, substitute “the Registration Act 1908 (16 of 1908)”.
- Section 131.**—In sub-section (3), for “the Code of Civil Procedure Samvat 1977” substitute “the Code of Civil Procedure, (5 of 1908)”.
- Section 134.**— In sub-section (1), for “the Jammu and Kashmir Houses and Shops Rent Control Act, 1966” substitute “the Residential and Commercial Tenancy Act, 2012”.
- Section 143.** – For “The Jammu and Kashmir Land Acquisition Act, Samvat, 1990” substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement, Act 2013 (30 of 2013)”.
- Section 153.** – In clause (c), for “the Jammu and Kashmir Ranbir Penal Code, Svt. 1989” substitute “the Indian Penal Code (45 of 1860)”.
- Section 155.** – For “Article 182 of the Limitation Act, Samvat, 1995” substitute “section 137 of the Limitation Act, 1963 (36 of 1963)”.
- Section 171.** – For “the Companies Act, 1956 (Central Act No. 01 of 1956),” substitute “the Companies Act, 2013 (18 of 2013)”.
- Section 174.** – In sub-section (1), for “the Code of Civil Procedure, Samvat. 1977” substitute “the Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 176.** – In sub-section (1), for “the State” substitute “the Union territory of Jammu and Kashmir”.

6. THE JAMMU AND KASHMIR SELF-RELIANT COOPERATIVES ACT, 1999

(X of 1999)

Throughout the Act for “State” substitute “Union territory of Jammu and Kashmir”.

Section 2.— (i) for clause (1), substitute—

“(1)“**arbitral tribunal**” means an arbitral tribunal to be headed by an officer of the cooperative not below the rank of Deputy Registrar of the concerned District and consisting of four members, elected by the general body of the cooperative from among its members or others, for settlement of disputes under the provisions of this Act.”;

(ii) in clause (5), insert—

- (iii) In clause (23), for “a permanent resident of the State as defined in section 6 of the Constitution of the Jammu and Kashmir” substitute “any person” ;
- (iv) in clause (27), for “permanent resident of the State” substitute “any person”; and
- (v) in clause 30, omit “whose members are permanent residents of the State”.

“**Explanation.**—The expression “economic need which is common to all” shall not mean banking services like accepting of deposits, opening savings, recurring and fixed deposit accounts and providing loans under short term, medium term or long term but includes thrift and credit business.”; and

- (vi) after clause (41), insert-

“(42) “**thrift and credit cooperative**” means coming together of a group of people with common interest who have agreed to pool their resources together from which loan facilities are made available to the members.”.

Section 3.—

- (i) In sub-section (1), omit “comprise of permanent residents of the State and”; and
- (ii) in sub-section (7), for “that person may move the court for redressal” substitute “the Registrar shall assign the reasons for non registration of the cooperative.”.

Section 7.—

For sub-section (4), substitute-

“(4) The Registrar on being satisfied that the amendment is not in contravention of the provisions of this Act, shall register the amendment and shall provide a copy of registered amendment to the cooperative:

Provided that such action shall not preclude the Registrar from challenging the legal validity of the amendment before the Court, after giving the cooperative a fair opportunity to reconsider the amendment.”.

Section 16.—

(i) In clause (a),-

- (a) in sub-clause (i), for “the Jammu and Kashmir Contracts Act Samvat 1977” substitute “the Indian Contract Act, 1872 (9 of 1872)”; and
- (b) omit sub-clause (ii);

(ii) in clause (c), for “the Jammu and Kashmir Societies Registration Act, Samvat, 1998” substitute “the Societies Registration Act 1860 (21 of 1860)”.

Section 39.—

In sub-section (1), after “Articles of Association” insert “but shall not include the bank services.”.

Section 50.—

For sub-section (1) substitute-

“(1) The articles of association of each cooperative shall provide for the constitution of an arbitral tribunal to be headed by an officer of the cooperative not below the rank of Deputy Registrar of the concerned District and consisting of four members, elected by the general body of the cooperative from among its members or others, whose term of office shall be not more than three years.”.

Section 52.—

After sub-section (7), insert-

“(8) If the Registrar, after conduct of an enquiry or inspection, is satisfied that a cooperative-

- (a) exists for an illegal purpose; or
- (b) has violated any of the provisions of this Act, or its articles of association, or is no longer operating on a cooperative basis; or
- (c) is conducting business without proper license of the competent authority as designated or notified by the Government,

he may give a notice to the cooperative to state its objections and the cooperative shall reply the notice within one month and after considering the reply, the Registrar shall pass an order for dissolution or otherwise of such cooperative, and in the event

of dissolution, he shall strike off from the register of cooperatives the name of cooperative and to that effect shall also issue a certification of dissolution and the Registrar shall appoint a Liquidator for liquidation of the assets and liabilities of the cooperative and the liquidation proceedings shall be conducted in accordance with the provisions of this Act.

- (9) The Liquidator appointed under sub-section (8) shall have power, subject to the control of the Registrar,-
- (a) to institute and defend suits and legal proceedings on behalf of the cooperative by name of his office;
 - (b) to determine from time to time the contribution (including debts due) to be made or remaining to be made by the members or past members or by the estates or nominees, heirs or legal representatives of deceased members or by an officer, to the assets of the society;
 - (c) to investigate all claims against the cooperative and subject to the provisions of this Act, to decide questions of priority arising between claimants;
 - (d) to pay *bona fide* claims against the cooperative;
 - (e) to determine by which person and in what proportions the costs of liquidation are to be borne;
 - (f) to determine whether any person is a member, past member or nominee of a deceased member;
 - (g) to give such directions in regard to the collection and distribution of the assets of the cooperative as may appear to him to be necessary for winding up the affairs of the cooperative;
 - (h) with the previous approval of the Registrar, to make any compromise or arrangement with creditors or persons claiming to be creditors or having or alleging to have any claim, present or future, whereby the society may be rendered,

and upon completion of liquidation, the Liquidator shall submit his report to the Registrar.”.

Section 53.- Omit.

Section 54.- Omit “or the court”.

Section 59.- For “Jammu and Kashmir Registration Act, Samvat 1977” substitute “Registration Act, 1908 (16 of 1908)”.

7. THE SALARIES AND ALLOWANCES OF MEMBERS OF JAMMU AND KASHMIR STATE LEGISLATURE ACT, 1960 (XIX of 1960)

Throughout the Act, for “Government Gazette”, “State” and “Government”, wherever occurring, substitute “Official Gazette”, “Union territory of Jammu and Kashmir” and “Government of the Union territory of Jammu and Kashmir” respectively.

Preamble.— For “Members of Jammu and Kashmir State Legislature” substitute “Members of the Legislative Assembly of the Union territory of Jammu and Kashmir”.

- Section 2. -**
- (i) In clauses (a), (b), (c), for “either House of the Jammu and Kashmir State Legislature” and “both Houses”, wherever occurring, substitute “Legislative Assembly of the Union territory of Jammu and Kashmir” and “the Legislative Assembly” respectively;
 - (ii) in Exception to clause (d), in sub-clause (i), for “a House of the State Legislature” substitute “Legislative Assembly of the Union territory of Jammu and Kashmir”;

- (iii) in the proviso to Sub-clause (ii) of clause (d), omit “or the Chairman of Legislative Council, as the case may be”;
- (iv) in the Explanation to clause (d), for “a House of Jammu and Kashmir State Legislature” substitute “Legislative Assembly of the Union territory of Jammu and Kashmir”.
- Section 3. -**
- (i) In sub-section (1), for “State Legislature” substitute “Legislature Assembly of the Union territory of Jammu and Kashmir” and in the proviso, omit “or the Chairman of the Legislative Council, as the case may be”;
- (ii) in sub-section (1-A), omit “or in the case of a member nominated by the Governor to fill a seat in the Legislative Council”;
- (iii) in the first proviso to sub-section (1-A), for “section 64 of Constitution of Jammu and Kashmir” substitute “section 24 of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019)”;
- (iv) in sub-section (2), for “State Legislature” and “Legislature” substitute “Legislature of the Union territory of Jammu and Kashmir” and “Legislative Assembly of the Union territory of Jammu and Kashmir”.
- Section 4. -**
- (i) In sub-section (1), for “State Legislature” and “either House of the State Legislature”, wherever occurring, substitute “Legislature of the Union territory of Jammu and Kashmir” and “Legislative Assembly of the Union territory of Jammu and Kashmir” respectively; and
- (ii) in sub-section (1-a), omit “or the Chairman of Legislative Council, as the case may be” and for “places outside the State” substitute “places outside the Union territory”.
- Section 4-A.—** For “places outside the State” occurring at both the places substitute “places outside the Union territory” and in the proviso, for “Governor” substitute “Lieutenant Governor.”.
- Section 5. -**
- (i) In sub-section (1), for “a session of the House” substitute “a session of the Legislative Assembly”;
- (ii) in sub-section (3), omit “or the Chairman of Legislative Council, as the case may be”.
- Section 5-A. -** Omit “or the legislative Council, as the case may be” and for “of the respective Houses of the State Legislature” substitute “Legislative Assembly of the Union territory of Jammu and Kashmir.”.
- Section 6. –** For “either House of the State Legislature” substitute “Legislative Assembly of the Union territory of Jammu and Kashmir”.
- Section 8. -**
- (i) In sub-section (1), for “Legislature Secretariat” substitute “Secretariat of the Legislative Assembly” and, for “either House of the State Legislature”, wherever occurring, substitute “Legislative Assembly of the Union territory”; and
- (ii) in sub-section (2), for “either House of the State Legislature” substitute “Legislative Assembly of the Union territory” and omit “or the Chairman of the Legislative the Legislation Council, as the case may be” and “or the Deputy Chairman of the Legislative Council, as the case may be”.
- Section 10. -** In sub-section (1), for “Governor” substitute “Lieutenant Governor.”.

**8. THE SALARY AND ALLOWANCES OF LEADERS OF OPPOSITION IN THE STATE
LEGISLATURE ACT, 1985**

(XVI of 1985)

Throughout the Act, for “each Leader of the Opposition” and “a Leader of the Opposition” substitute “Leader of the Opposition”.

For section 2, substitute-

“2. Definition.— In this Act, ‘Leader of the Opposition’ means that Member of Legislative Assembly of the Union territory of Jammu and Kashmir, who is for the time being, the leader of the party in opposition to the Government having at least a strength equal to the quorum fixed to constitute a sitting of the House and recognised as such by the Speaker of the Legislative Assembly.

Explanation.— Where there are two or more parties in opposition to the Government in the Legislative Assembly having the same numerical strength, the Speaker shall, having regard to the status of the parties, recognise any one of the Leaders of such parties as the Leader of Opposition for the purpose of this section and such recognition shall be final and conclusive.”.

Section 9.— Omit “or the Chairman, as the case may be”.

Section 10.— Omit sub-section (3).

9. THE JAMMU AND KASHMIR GOODS AND SERVICES TAX ACT, 2017

(V of 2017)

Throughout the Act, for “State of Jammu and Kashmir” substitute “Union territory of Jammu and Kashmir”.

After section 1, insert-

Provisions to come into force with effect from dates to be notified by Government of Union territory of Jammu and Kashmir.

“1A. Save as otherwise provided, such provisions of this Act as amended by the Jammu and Kashmir Reorganisation (Adaptation of State Laws) Third Order, 2020 shall be deemed to have come into force with effect from such that dates as may be notified by the Government of Union territory of Jammu and Kashmir”.

- Section 2. -**
- (i) In clause (1), for “Transfer of Property Act, Svt. 1977 (1920 A.D.) (XLII of 1920 A.D)” substitute “Transfer of Property Act, 1882 (4 of 1882)”;
 - (ii) in clause (4),—
 - (a) for “the Appellate Authority and the Appellate Tribunal”, substitute “the Appellate Authority, the Appellate Tribunal and the Authority referred to in sub-section (2) of section 171”;
 - (b) for "the Appellate Authority for Advance Ruling” substitute "the Appellate Authority for Advance Ruling, the National Appellate Authority for Advance Ruling”;
 - (iii) in clause (17), for sub-clause (viii), substitute—

“(viii) activities of a race club including by way of totalisator or a license to book maker or activities of a licensed book maker in such club.”;
 - (iv) omit clause (18);
 - (v) in clause (35), for “clause (c)” substitute “clause (b)”;

- (vi) in clause (36), omit “as applicable to the State of Jammu and Kashmir”;
- (vii) In clause (69), for sub-clause (e) substitute—
 “(e) A Regional Council or a District Council constituted under the Sixth Schedule to the Constitution;
 (f) A Development Board constituted under article 371 of the Constitution; or
 (g) A Regional Council constituted under article 371 A of the Constitution.”;
- (viii) in clause (84), in sub-clause (l) for “the Jammu and Kashmir Societies Registration Act, 1998(1941 A.D)(VI of 1998)”, substitute “the Societies Registration Act, 1860 (21 of 1860)”;
- (ix) in clause (102), insert—
 “Explanation.—For the removal of doubts, it is hereby clarified that the expression “services” includes facilitating or arranging transactions in securities.”;
- (x) in clause (114), for sub-clauses (c) and (d), substitute—
 “(c) Dadra and Nagar Haveli and Daman and Diu;
 (d)Ladakh;”.

Section 7.-

- (a) In sub-section (1), —
 (i) in clause (b), after “or furtherance of business;”, insert “and”;
 (ii) in clause (c), after “a consideration”, omit “and”;
 (iii) omit clause (d);
- (b) after sub-section (1), insert—
 “(1A) Where certain activities or transactions constitute a supply in accordance with the provisions of sub-section (1), they shall be treated either as supply of goods or supply of services as referred to in Schedule II.”;
- (c) in sub-section (3), for “sub-sections (1) and (2)”, substitute “sub-sections (1), (1A) and (2)”.

Section 9.—

For sub-section (4), substitute—

“(4) The Government may, on the recommendations of the Council, by notification, specify a class of registered persons who shall, in respect of supply of specified categories of goods or services or both received from an unregistered supplier, pay the tax on reverse charge basis as the recipient of such supply of goods or services or both, and all the provisions of this Act shall apply to such recipient as if he is the person liable for paying the tax in relation to such supply of goods or services or both.”.

Section 10.—

- (a) In sub-section (1), —
 (i) for “in lieu of the tax payable by him, an amount calculated at such rate”, substitute “in lieu of the tax payable by him under sub-section (1) of section 9, an amount of tax calculated at such rate”;
 (ii) in the proviso, for “one crore rupees”, substitute “one crore and fifty lakh rupees”;
 (iii) after the proviso, insert—
 “Provided further that a person who opts to pay tax under clause (a) or clause (b) or clause (c) may supply services (other than those referred to in clause (b) of paragraph 6 of Schedule II), of value not exceeding ten per cent.

of turnover in the Union territory in the preceding financial year or five lakh rupees, whichever is higher.

Explanation.- For the purposes of second proviso, the value of exempt supply of services provided by way of extending deposits, loans or advances in so far as the consideration is represented by way of interest or discount shall not be taken into account for determining the value of turnover in the Union territory of Jammu and Kashmir.”

- (b) in sub-section (2),—
- (i) for clause (a), substitute—
“(a) save as provided in sub-section (1), he is not engaged in the supply of services;”;
- (ii) in clause (d), omit "and" occurring at the end;
- (iii) in clause (e), for "Council:", substitute “Council; and”;
- (iv) after clause (e), insert—
“(f) he is neither a casual taxable person nor a non-resident taxable person.”;
- (v) in clauses (b), (c) and (d), after “of goods”, insert “or services”;
- (c) after sub-section (2), insert—
“(2A) Notwithstanding anything to the contrary contained in this Act, but subject to the provisions of sub-sections (3) and (4) of section 9, a registered person, not eligible to opt to pay tax under sub-section (1) and sub-section (2), whose aggregate turnover in the preceding financial year did not exceed fifty lakh rupees, may opt to pay, in lieu of the tax payable by him under sub-section (1) of section 9, an amount to tax calculated at such rate as may be prescribed, but not exceeding three per cent, of the turnover in the Union Territory of Jammu and Kashmir, if he is not-
- (a) engaged in making any supply of goods or services which are not leviable to tax under this Act;
- (b) engaged in making any inter-State outward supplies of goods or services;
- (c) engaged in making any supply of goods or services through an electronic commerce operator who is required to collect tax at source under section 52;
- (d) a manufacturer of such goods or supplier of such services as may be notified by the Government on the recommendations of the Council; and
- (e) a casual taxable person or a non-resident taxable person:
- Provided that, where more than one registered person are having the same Permanent Account Number issued under the Income-tax Act, 1961 (Central Act 43 of 1961), the registered person shall not be eligible to opt for the scheme under this sub-section unless all such registered persons opt to pay tax under this sub-section”;
- (d) in sub-section (3), after "under sub-section (1)" wherever they occur, insert “or sub-section (2A), as the case may be,”;
- (e) in sub-section (4), after "of sub-section (1)", insert "or, as the case may be, sub-section (2A)”;;
- (f) in sub-section (5), after “under sub-section(1)", insert “or sub-section (2A), as the case may be,”;
- (g) after sub-section (5), insert—

"Explanation 1.— For the purposes of computing aggregate turnover of a person for determining his eligibility to pay tax under this section, the expression "aggregate turnover" shall include the value of supplies made by such person from the 1st day of April of a financial year up to the date when he becomes liable for registration under this Act, but shall not include the value of exempt supply of services provided by way of extending deposits, loans or advances in so far as the consideration is represented by way of interest or discount.

Explanation 2.— For the purposes of determining the tax payable by a person under this section, the expression "turnover in the Union territory" shall not include the value of following supplies, namely:-

- (i) supplies from the first day of April of a financial year up to the date when such person becomes liable for registration under this Act; and
- (ii) exempt supply of services provided by way of extending deposits, loans or advances in so far as the consideration is represented by way of interest or discount."

Section 12.— In sub-section (2), in clause (a), omit "sub-section (1) of".

Section 13.— In sub-section (2), in clauses (a) and (b) omit "sub-section (2) of".

Section 16.— (i) In sub-section (2),—

(a) in clause (b), for the Explanation, substitute—

“Explanation.—For the purposes of this clause, it shall be deemed that the registered person has received the goods or, as the case may be, services—

- (i) where the goods are delivered by the supplier to a recipient or any other person on the direction of such registered person, whether acting as an agent or otherwise, before or during movement of goods, either by way of transfer of documents of title to goods or otherwise;
- (ii) where the services are provided by the supplier to any person on the direction of and on account of such registered person.”;

(b) in clause (c), for “section 41”, substitute “section 41 or section 43A”;

(ii) in sub-section (4), omit or “invoice relating to such”.

Section 17.— (a) In sub-section (3), insert—

“Explanation.—For the purposes of this sub-section, the expression “value of exempt supply” shall not include the value of activities or transactions specified in Schedule III, except those specified in paragraph 5 of the said Schedule.”;

(b) in sub-section (5), for clauses (a) and (b), substitute—

“(a) motor vehicles for transportation of persons having approved seating capacity of not more than thirteen persons (including the driver), except when they are used for making the following taxable supplies, namely:—

- (A) further supply of such motor vehicles; or
- (B) transportation of passengers; or
- (C) imparting training on driving such motor vehicles;

(aa) vessels and aircraft except when they are used—

(i) for making the following taxable supplies, namely:—

- (A) further supply of such vessels or aircraft; or
- (B) transportation of passengers; or

- (C) imparting training on navigating such vessels; or
- (D) imparting training on flying such aircraft;
- (ii) for transportation of goods;
- (ab) services of general insurance, servicing, repair and maintenance in so far as they relate to motor vehicles, vessels or aircraft referred to in clause (a) or clause (aa):

Provided that the input tax credit in respect of such services shall be available—

- (i) where the motor vehicles, vessels or aircraft referred to in clause (a) or clause (aa) are used for the purposes specified therein;
- (ii) where received by a taxable person engaged—
 - (I) in the manufacture of such motor vehicles, vessels or aircraft; or
 - (II) in the supply of general insurance services in respect of such motor vehicles, vessels or aircraft insured by him;
- (b) the following supply of goods or services or both—

- (i) food and beverages, outdoor catering, beauty treatment, health services, cosmetic and plastic surgery, leasing, renting or hiring of motor vehicles, vessels or aircraft referred to in clause (a) or clause (aa) except when used for the purposes specified therein, life insurance and health insurance:

Provided that the input tax credit in respect of such goods or services or both shall be available where an inward supply of such goods or services or both is used by a registered person for making an outward taxable supply of the same category of goods or services or both or as an element of a taxable composite or mixed supply;

- (ii) membership of a club, health and fitness centre; and
- (iii) travel benefits extended to employees on vacation such as leave or home travel concession:

Provided that the input tax credit in respect of such goods or services or both shall be available, where it is obligatory for an employer to provide the same to its employees under any law for the time being in force.”.

Section 20.— In the Explanation, in clause (c), for “under entry 84,” substitute “under entries 84 and 92A”.

Section 22.— In sub-section (1), after the proviso, insert—

“Provided further that where such person makes supplies of goods or services or both from a special category State in respect of which the State Government has enhanced the aggregate turnover referred to in the first proviso, he shall be liable to be registered if his aggregate turnover in a financial year exceeds the amount equivalent to such enhanced turnover:

Provided also that, the Government may, on the recommendations of the Council, enhance the aggregate turnover from twenty lakh rupees to such amount not exceeding forty lakh rupees in case of supplier who is engaged exclusively in the supply of goods, subject to such conditions and limitations, as may be notified.

Explanation.— For the purposes of this sub-section, a person shall be considered to be engaged exclusively in the supply of goods even if he is engaged in exempt supply of services provided by way of extending deposits, loans or advances in so far as the consideration is represented by way of interest or discount.”.

Section 24.— In clause (x), for “commerce operator”, substitute “commerce operator who is required to collect tax at source under section 52”.

Section 25.— (i) In sub-section (1), after the proviso and before the Explanation, insert—

“Provided further that a person having a unit, as defined in the Special Economic Zones Act, 2005 (28 of 2005), in a Special Economic Zone or being a Special Economic Zone developer shall have to apply for a separate registration, as distinct from his place of business located outside the Special Economic Zone in the same State or Union territory.”;

(ii) in sub-section (2), for the proviso, substitute—

“Provided that a person having multiple places of business in the Union territory may be granted a separate registration for each such place of business, subject to such conditions as may be prescribed.”;

(iii) after sub-section (6), insert—

(6A) Every registered person shall undergo authentication, or furnish proof of possession of Aadhaar number, in such form and manner and within such time as may be prescribed:

Provided that, if an Aadhaar number is not assigned to the registered person, such person shall be offered alternate and viable means of identification in such manner as the Government may, on the recommendations of the Council, prescribe:

Provided further that, in case of failure to undergo authentication or furnish proof of possession of Aadhaar number or furnish alternate and viable means of identification, registration allotted to such person shall be deemed to be invalid and the other provisions of this Act shall apply as if such person does not have a registration.

(6B) On and from the date of notification, every individual shall, in order to be eligible for grant of registration, undergo authentication, or furnish proof of possession of Aadhaar number, in such manner as the Government may, on the recommendations of the Council, specify in the said notification:

Provided that, if an Aadhaar number is not assigned to an individual, such individual shall be offered alternate and viable means of identification in such manner as the Government may, on the recommendations of the Council, specify in the said notification.

(6C) On and from the date of notification, every person, other than an individual, shall, in order to be eligible for grant of registration, undergo authentication, or furnish proof of possession of Aadhaar number of the Karta, Managing Director, whole time Director, such number of partners, Members of Managing Committee of Association, Board of Trustees, authorised representative, authorised signatory and such other class of persons, in such manner, as the Government may, on the recommendation of the Council, specify in the said notification:

Provided that, where such person or class of persons have not been assigned the Aadhaar Number, such person or class of persons

shall be offered alternate and viable meals of identification in such manner as the Government may, on the recommendations of the Council, specify, in the said notification.

(6D)The provisions of sub-section (6A) or sub-section (6B) or sub-section (6C) shall not apply to such person or class of persons as the Government may, on the recommendations of the Council, specify by notification.

Explanation.—For the purposes of this section, the expression "Aadhaar number" shall have the same meaning as assigned to it in clause (a) of section 2 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 (Central Act 18 of 2016)".

Section 29.—

- (i) In the marginal heading after "Cancellation", insert "or suspension";
- (ii) In sub-section (1), for clause (c), substitute—
 "(c) the taxable person is no longer liable to be registered under section 22 or section 24 or intends to opt out of the registration voluntarily made under sub-section (3) of section 25:
 Provided that during pendency of the proceedings relating to cancellation of registration filed by the registered person, the registration may be suspended for such period and in such manner as may be prescribed.";
- (iii) in sub-section (2), after the proviso, insert -
 "Provided further that during pendency of the proceedings relating to cancellation of registration, the proper officer may suspend the registration for such period and in such manner as may be prescribed.".

Section 30.—

- In sub-section (1), insert—
 "Provided that such period may, on sufficient cause being shown, and for reasons to be recorded in writing, be extended—
 (a) by the Additional Commissioner or the Joint Commissioner, as the case may be, for a period not exceeding thirty days;
 (b) by the Commissioner, for a further period not exceeding thirty days, beyond the period specified in clause (a).".

Section 31.—

- In sub-section (2), for the proviso, substitute—
 "Provided that the Government may, on the recommendations of the Council, by notification,—
 (a) specify the categories of services or supplies in respect of which a tax invoice shall be issued, within such time and in such manner as may be prescribed;
 (b) subject to the condition mentioned therein, specify the categories of services in respect of which—
 (i) any other document issued in relation to the supply shall be deemed to be a tax invoice; or
 (ii) tax invoice may not be issued.".

Insertion of new section -After section 31, insert—

Facility of digital payment to recipient.

"31A. The Government may, on the recommendations of the Council, prescribe a class of registered persons who shall provide prescribed modes of electronic payment to the recipient of supply of goods or services or both made by him and give option to such recipient to make payment accordingly,

in such manner and subject to such conditions and restrictions, as may be prescribed.”.

Section 34.— (a) In sub-section (1),—

- (i) for “Where a tax invoice has” substitute “Where one or more tax invoices have”;
- (ii) for “a credit note” substitute “one or more credit notes for supplies made in a financial year”;

(b) in sub-section (3),—

- (i) for “Where a tax invoice has” substitute “Where one or more tax invoices have”;
- (ii) for “a debit note” substitute “one or more debit notes for supplies made in a financial year”.

Section 35.— In sub-section (5), insert—

“Provided that nothing contained in this sub-section shall apply to any Department of the Central Government or a State Government or a local authority, whose books of account are subject to audit by the Comptroller and Auditor-General of India or an auditor appointed for auditing the accounts of local authorities under any law for the time being in force.”.

Section 39.—(a) For sub-sections (1) and (2), substitute—

“(1) Every registered person, other than an Input Service Distributor or a non-resident taxable person or a person paying tax under the provisions of section 10 or section 51 or section 52 shall, for every calendar month or part thereof, furnish a return, electronically, of inward and outward supplies of goods or services or both, input tax credit availed, tax payable, tax paid and such other particulars, in such form and manner, and within such time, as may be prescribed:

Provided that the Government may, on the recommendations of the Council, notify certain class of registered persons who shall furnish a return for every quarter or part thereof, subject to such conditions and restrictions as may be specified therein.

(2) A registered person paying tax under the provisions of section 10, shall, for each financial year or part thereof, furnish a return, electronically, of turnover in the State, inward supplies of goods or services or both, tax payable, tax paid and such other particulars in such form and manner, and within such time, as may be prescribed.”;

(b) for sub-section (7), substitute—

“(7) Every registered person who is required to furnish a return under sub-section (1), other than the person referred to in the proviso thereto, or sub-section (3) or sub-section (5), shall pay to the Government the tax due as per such return not later than the last date on which he is required to furnish such return:

Provided that every registered person furnishing return under the proviso to sub-section (1) shall pay to the Government, the tax due taking into account inward and outward supplies of goods or services or both, input tax credit availed, tax payable and such other particulars during a month, in such form and manner, and within such time, as may be prescribed:

Provided further that every registered person furnishing return under sub-section (2) shall pay to the Government the tax due taking into account turnover in the State or Union territory, inward supplies of goods or services or both, tax payable, and such other particulars during a quarter, in such form and manner, and within such time, as may be prescribed.”;

(c) in sub-section (9),—

- (i) for "in the return to be furnished for the month or quarter during which such omission or incorrect particulars are noticed", substitute "in such form and manner as may be prescribed";
- (ii) in the proviso, for "the end of the financial year" substitute "the end of the financial year to which such details pertain".

Insertion of new section -After section 43, insert—

**Procedure for
furnishing return
and availing input
tax credit.**

“43A. (1) Notwithstanding anything contained in sub-section (2) of section 16, section 37 or section 38, every registered person shall in the returns furnished under sub-section (1) of section 39 verify, validate, modify or delete the details of supplies furnished by the suppliers.

(2) Notwithstanding anything contained in section 41, section 42 or section 43, the procedure for availing of input tax credit by the recipient and verification thereof shall be such as may be prescribed.

(3) The procedure for furnishing the details of outward supplies by the supplier on the common portal, for the purposes of availing input tax credit by the recipient shall be such as may be prescribed.

(4) The procedure for availing input tax credit in respect of outward supplies not furnished under sub-section (3) shall be such as may be prescribed and such procedure may include the maximum amount of the input tax credit which can be so availed, not exceeding twenty per cent. of the input tax credit available, on the basis of details furnished by the suppliers under the said sub-section.

(5) The amount of tax specified in the outward supplies for which the details have been furnished by the supplier under sub-section (3) shall be deemed to be the tax payable by him under the provisions of this Act.

(6) The supplier and the recipient of a supply shall be jointly and severally liable to pay tax or to pay the input tax credit availed, as the case may be, in relation to outward supplies for which the details have been furnished under sub-section (3) or sub-section (4) but return thereof has not been furnished.

(7) For the purposes of sub-section (6), the recovery shall be made in such manner as may be prescribed and such procedure may provide for non-recovery of an amount of tax or input tax credit wrongly availed not exceeding one thousand rupees.

(8) The procedure, safeguards and threshold of the tax amount in relation to outward supplies, the details of which can be furnished under sub-section (3) by a registered person,—

(i) within six months of taking registration;

(ii) who has defaulted in payment of tax and where such default has continued for more than two months from the due date of payment of such defaulted amount,

shall be such as may be prescribed.”.

Section 44.—

In sub-section (1), insert—

"Provided that the Commissioner may, on the recommendations of the Council and for reasons to be recorded in writing, by notification, extend the time limit for furnishing the annual return for such class of registered persons as may be specified therein:

Provided further that, any extension of time limit notified by the Commissioner of Central tax shall be deemed to be notified by the Commissioner."

Section 48.—

In sub-section (2), after "section 45", insert "and to perform such other functions".

Section 49.—

(a) In sub-section (2), for "section 41" substitute "section 41 or section 43A";

(b) in sub-section (5),—

(i) in clause (c), insert—

"Provided that the input tax credit on account of State tax shall be utilised towards payment of integrated tax only where the balance of the input tax credit on account of central tax is not available for payment of integrated tax;";

(ii) in clause (d), insert—

"Provided that the input tax credit on account of Union territory tax shall be utilised towards payment of integrated tax only where the balance of the input tax credit on account of central tax is not available for payment of integrated tax;";

(c) after sub-section (9), insert—

"(10) A registered person may, on the common portal, transfer any amount of tax, interest, penalty, fee or any other amount available in the electronic cash ledger under this Act, to the electronic cash ledger for integrated tax, central tax, State tax, Union territory tax or cess, in such form and manner and subject to such conditions and restrictions as may be prescribed and such transfer shall be deemed to be a refund from the electronic cash ledger under this Act.

(11) Where any amount has been transferred to the electronic cash ledger under this Act, the same shall be deemed to be deposited in the said ledger as provided in sub-section (1)."

After section 49, insert—

Utilization of input tax credit subject to certain conditions

"49A. Notwithstanding anything contained in section 49, the input tax credit on account of State tax shall be utilised towards payment of integrated tax, or the State tax, as the case may be, only after the input tax credit available on account of integrated tax has first been utilised fully towards such payment.

Order of utilisation of input tax credit.

49B. Notwithstanding anything contained in this Chapter and subject to the provisions of clause (e) and clause (f) of sub-section (5) of section 49, the Government may, on the recommendations of the Council, prescribe the order and manner of utilisation of the input tax credit on account of integrated tax, State tax or Union territory tax, as the case may be, towards payment of any such tax."

Section 50.—

In sub-section (1), insert—

"Provided that, the interest on tax payable in respect of supplies made during a tax period and declared in the return for the said period furnished after the due date in accordance with the provisions of section 39, except where such return is furnished after commencement of any proceedings under section 73 or section 74 in respect of the said period, shall be levied on that portion of the tax that is paid by debiting the electronic cash ledger."

Section 51.—

(i) For sub-section (3), substitute—

"(3) A certificate of tax deduction at source shall be issued in such form and in such manner as may be prescribed."

(ii) Omit sub-section (4).”.

Section 52.—

(i) In sub-section (4), insert—

“Provided that the Commissioner may, for reasons to be recorded in writing, by notification, extend the time limit for furnishing the statement for such class of registered persons as may be specified therein:

Provided further that any extension of time limit notified by the Commissioner of Central tax shall be deemed to be notified by the Commissioner.”

(ii) In sub-section (5), insert—

“Provided that the Commissioner may, on the recommendations of the Council and for reasons to be recorded in writing, by notification, extend the time limit for furnishing the annual statement for such class of registered persons as may be specified therein:

Provided further that any extension of time limit notified by the Commissioner of Central tax shall be deemed to be notified by the Commissioner.”

(iii) In sub-section (9), for “section 37”, substitute “section 37 or section 39”.

Insertion of new section -After section 53, insert—

Transfer of certain amounts.

“53A. Where any amount has been transferred from the electronic cash ledger under this Act to the electronic cash ledger under the Central Goods and Services Tax Act or under the Integrated Goods and Services Tax Act or under the Goods and Services Tax (Compensation to States) Act, the Government shall, transfer to the central tax account or integrated tax account or cess account, an amount equal to the amount transferred from the electronic cash ledger, in such manner and within such time as may be prescribed.”.

Section 54.—

(i) In sub-section (8), in clause (a), for “zero-rated supplies of goods” and “zero-rated supplies”, substitute “export of goods” and “exports” respectively;

(ii) after sub-section (8), insert—

“(8A) Where the Central Government has disbursed the refund of State tax, the Government shall transfer an amount equal to the amount so refunded, to the Central Government.”; and

(iii) in the Explanation, in clause (II),—

(i) in sub-clause (c), in item (i), after “foreign exchange”, insert “or in Indian rupees wherever permitted by the Reserve Bank of India”;

(ii) for sub-clause (e), substitute—

“(e) in the case of refund of unutilised input tax credit under clause (ii) of the first proviso to sub-section (3), the due date for furnishing of return under section 39 for the period in which such claim for refund arises;”.

Section 67.—

In sub-section (10), for “Code of Criminal Procedure, Samvat, 1989(1933 A.D){XXIII of 1989}” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”

Section 69.—

In sub-section (3), for “Code of Criminal Procedure, Samvat, 1989(1933 A.D){XXIII of 1989}” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”

Section 70.—

(i) In sub-section(1),—For “Code of Civil Procedure, Samvat 1977(1920 A.D.){X of Svt. 1977}” substitute “Code of Civil Procedure, 1908 (5 of 1908)”; and

- (ii) in sub-section (2), for “Jammu and Kashmir State Ranbir Penal Code, Svt. 1989(1932 A.D.){XII of 1989}” substitute “Indian Penal Code(45 of 1860)”.

Section 79.—(i) In sub-section (1), in clause (f) for “Code of Criminal Procedure, Samvat, 1989 (1933 A.D.){XXIII of 1989}” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”

- (ii) After sub-section (4), insert.—

“Explanation.—For the purposes of this section, the word person shall include “distinct persons” as referred to in sub-section (4) or, as the case may be, sub-section (5) of section 25.”.

Section 95.— (i) In clause (a),—

(c) for “Appellate Authority” substitute “Appellate Authority or the National Appellate Authority”; and

(d) for "of section 100" substitute “of section 100 or of section 101C”.

- (ii) after clause (e), insert—

"(f) "National Appellate Authority" means the National Appellate Authority for Advance Ruling referred to in section 101A.”.

Insertion of new section -After section 101, insert—

Constitution of National Appellate Authority for Advance Ruling.

"101A. Subject to the provisions of this Chapter, the National Appellate Authority for Advance Ruling constituted under section 101A of the Central Goods and Services Tax Act shall be deemed to be the National Appellate Authority for Advance Ruling for the purposes of this Act”.

Section 102.— (i) For "Appellate Authority" occurring, at both the places substitute "Appellate Authority or the National Appellate Authority";

(ii) after "or section 101", insert "or section 101C of the Central Goods and Services Tax Act, 2017 respectively,"; and

(iii) for "or the appellant occurring at both the places ", substitute " the appellant, the Authority or the Appellate Authority".

Section 103.— (i) After sub-section (1), insert—

"(1A) The advance ruling pronounced by the National Appellate Authority under this Chapter shall be binding on-

(a) the applicants, being distinct persons, who had sought the ruling under sub-section (1) of section 101 of the Central Goods and Services Tax Act, 2017 and all registered persons having the same Permanent Account Number issued under the Income-tax Act, 1961 (Central Act 43 of 1961);

(b) the concerned officers and the jurisdictional officers in respect of the applicants referred to in clause (a) and the registered persons having the same Permanent Account Number issued under the Income-tax Act, 1961 (Central Act 43 of 1961).";

(ii) in sub-section (2), for “in sub-section (1)” substitute “in sub-section (1) and sub-section (1A)”

Section 104.— In sub-section (1),—

(a) for “the Appellate Authority” substitute “the Appellate Authority or the National Appellate Authority”; and

(b) after "of section 101", insert “or under section 101C of the Central Goods and Services Tax Act, 2017”.

Section 105.— (i) For the marginal heading, substitute—

“Powers of Authority, Appellate Authority and National Appellate Authority”;

(ii) in sub-section (1),—

- (a) for “Appellate Authority” substitute “Appellate Authority or the National Appellate Authority”;
- (b) in clause (c), for “Code of Civil Procedure, Samvat 1977(1920 A.D.){X of Svt. 1977}” substitute “Code of Civil Procedure, 1908 (5 of 1908)”; and

(iii) in sub-section (2).—

- (a) for “Appellate Authority” substitute “Appellate Authority or the National Appellate Authority”;
- (b) for Code of Criminal Procedure, Samvat, 1989(1933 A.D){XXIII of 1989}” substitute “Code of Criminal Procedure, 1973 (2 of 1974)” and for “Jammu and Kashmir State Ranbir Penal Code, Svt. 1989(1932 A.D.){XII of 1989}” substitute “Indian Penal Code (45 of 1860)”.

Section 106.— (i) For the marginal heading, substitute—

“Procedure of Authority, Appellate Authority and National Appellate Authority”

(ii) for “Appellate Authority” substitute “Appellate Authority or the National Appellate Authority”;

Section 107.— In sub-section (6), in clause (b), after “arising from the said order,”, insert “subject to a maximum of twenty-five crore rupees,”.

Section 109.— For section 109, substitute—

Appellate Tribunal and Benches thereof. “109. (1) Subject to the provisions of this Chapter, the Goods and Services Tax Tribunal constituted under the Central Goods and Services Tax Act shall be the Appellate Tribunal for hearing appeals against the orders passed by the Appellate Authority or the Revisional Authority under this Act.

(2) The constitution and jurisdiction of the State Bench and the Area Benches located in the Union territory shall be in accordance with the provisions of section 109 of the Central Goods and Services Tax Act or the rules made thereunder.”.

Section 111.— (i) In sub-sections (1), and (2), for “Code of Civil Procedure, Samvat 1977(1920 A.D.){X of Svt. 1977}” substitute “Code of Civil Procedure, 1908 (5 of 1908)”; and

(ii) in sub-section (2), in clause (d), for “Evidence Act, Samvat 1977(1920 A.D.){XIII of Samvat 1977}” substitute “Indian Evidence Act, 1872(1 of 1872)”.

(iii) In sub-section (4), for “Jammu and Kashmir State Ranbir Penal code, Svt 1989 (1932 AD (12 of 1989))” substitute “Indian Penal Code (45 of 1860)” and “Code of Criminal Procedure, Svt 1989 (1933 AD, 23 of 1989)” substitute “Code of Criminal Procedure 1973 (2 of 1974).

Section 112.— In sub-section (8), in clause (b), after “arising from the said order,” insert “subject to a maximum of fifty crore rupees,”.

Section 118.— In sub-section (2), for “Code of Civil Procedure, Samvat 1977 (1920 A.D.){X of Svt. 1977}” substitute “Code of Civil Procedure, 1908 (5 of 1908)”.

Section 122.— After sub-section (1), insert:—

“(1A) Any person who retains the benefit of a transaction covered under clauses (i),(ii), (vii) or clause (ix) of sub-section (1) and at whose instance such transaction is conducted, shall be liable to a penalty of an amount equivalent to the tax evaded or input tax credit availed of or passed on.”.

- Section 129.—** In sub-section (6), for “seven days”, substitute “fourteen days”.
- Section 131.—** For Code of Criminal Procedure, Samvat, 1989(1933 A.D){XXIII of 1989}” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 132.—** (i) In sub-section (1),—
- (a) for “Whoever commits any of the following offences”, substitute “Whoever commits, or causes to commit and retain the benefits arising out of, any of the following offences”;
- (b) for clause (c), substitute—
“(c) avails input tax credit using the invoice or bill referred to in clause (b) or fraudulently avails input tax credit without any invoice or bill;”;
- (c) in clause (e), omit “, fraudulently avails input tax credit”.
- (ii) In sub-section (4), for “Code of Criminal Procedure, Samvat, 1989(1933 A.D){XXIII of 1989}” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 140.—** With effect from the 8th day of July, 2017,—
- (i) in sub-section (1), after the words “existing law”, the words “within such time and” shall be inserted and shall be deemed to have been inserted;
- (ii) in sub-section (2), after the words “appointed day”, the words “within such time and” shall be inserted and shall be deemed to have been inserted;
- (iii) in sub-section (3), for the words “goods held in stock on the appointed day subject to”, the words “goods held in stock on the appointed day, within such time and in such manner as may be prescribed, subject to” shall be substituted and shall be deemed to have been substituted;
- (iv) in sub-section (5), for the words “existing law”, the words “existing law, within such time and in such manner as may be prescribed” shall be substituted and shall be deemed to have been substituted;
- (v) in sub-section (6), for the words “goods held in stock on the appointed day subject to”, the words “goods held in stock on the appointed day, within such time and in such manner as may be prescribed, subject to” shall be substituted and shall be deemed to have been substituted;
- (vi) in sub-section (7), for the words “credit under this Act even if”, the words “credit under this Act, within such time and in such manner as may be prescribed, even if” shall be substituted and shall be deemed to have been substituted;
- (vii) in sub-section (8), for the words “in such manner”, the words “within such time and in such manner” shall be substituted and shall be deemed to have been substituted; and
- (viii) in sub-section (9), for the words “credit can be reclaimed subject to”, the words “credit can be reclaimed within such time and in such manner as may be prescribed, subject to” shall be substituted and shall be deemed to have been substituted.
- Section 143.—** In sub-section (1), in clause (b), after the proviso, insert—
“Provided further that the period of one year and three years may, on sufficient cause being shown, be extended by the Commissioner for a further period not exceeding one year and two years respectively.”.
- Section 150.—** In sub-section (1),-
- (i) in clause (f), for “the Jammu and Kashmir Electricity Act, 2010(XII of 2010) substitute “the Electricity Act, 2003(36 of 2003)”; and

- (ii) in clause (g), for “Registration Act Svt. 1977(1920 A.D.) (XXXV of 1977)” substitute “Registration Act, 1908 (16 of 1908)”.

Section 156.— For “Jammu and Kashmir State Ranbir Penal Code, Svt. 1989(1932 A.D.){XII of 1989}” substitute “Indian Penal Code (45 of 1860)”.

Section 158.— (i) In sub-section (2), for “Evidence Act, Samvat 1977(1920 A.D.){XIII of Samvat 1977}” substitute “Indian Evidence Act, 1872(1 of 1872)”;

- (ii) In sub-section (3), in clause (a) for “Jammu and Kashmir State Ranbir Penal Code, Svt. 1989(1932 A.D.){XII of 1989}” substitute “Indian Penal Code (45 of 1860)” and for “the Prevention of Corruption Act, Svt. 2006 (1949 A.D.){XIII of 2006}” substitute “the Prevention of Corruption Act, 1988 (49 of 1988).”

Section 168.— In sub-section (2), for “sub-section (5) of section 66, sub-section (1) of section 143”, substitute “sub-section (1) of section 143, except the second proviso thereof”.

Insertion of new section -After section 168, insert—

Power of Government to extend time limit in special circumstances.

“**168A. (1)** Notwithstanding anything contained in this Act, the Government may, on the recommendations of the Council, by notification, extend the time limit specified in, or prescribed or notified under this Act in respect of actions which may not be completed or complied with due to *forcemajeure*.

(2) The power to issue notification under sub-section (1) shall include the power to give retrospective effect to such notification from a date not earlier than the date of commencement of this Act.

Explanation.-For the purposes of this section, the expression “*force majeure*” means a case of war, epidemic, flood, drought, fire, cyclone, earthquake or any other calamity caused by nature or otherwise affecting the implementation of any of the provisions of this Act.”

Section 171.— After sub-section (3), insert—

“(3A) Where the Authority referred to in sub-section (2) after holding examination as required under the said sub-section comes to the conclusion that any registered person has profiteered under sub-section (1), such person shall be liable to pay penalty equivalent to ten per cent, of the amount so profiteered:

Provided that, no penalty shall be leviable if the profiteered amount is deposited within thirty days of the date of passing of the order by the Authority.

Explanation.— For the purposes of this section, the expression “profiteered” shall mean the amount determined on account of not passing the benefit of reduction in rate of tax on supply of goods or services or both or the benefit of input tax credit to the recipient by way of commensurate reduction in the price of the goods or services or both.”.

Section 172.— In sub-section (1), in the proviso, for “three years”, substitute “five years”.

Section 174.— In sub-section (3), for “the Jammu and Kashmir General Clauses Act, Samvat 1977(1920 A.D.){XX of 1977}” substitute “the General Clauses Act, 1897.”

Insertion of new section -After section 174, insert:-

Retrospective exemption from or levy or collection of State tax in certain cases. “174A. (1) Notwithstanding anything contained in the SRO notification SRO –GST-1, dated the 8th July, 2017, issued by the Finance Department Government of Jammu and Kashmir, on the recommendations of the Council, in exercise of the powers under sub-section (1) of section 9 of the Jammu and Kashmir Goods and Services Tax Act, 2017,-

(i) no State tax shall be levied or collected in respect of supply of fishmeal (falling under heading 2301), during the period commencing from the 8th day of July, 2017 and ending with the 30th day of September, 2019 (both day sinclusive);

(ii) State tax at the rate of six per cent. shall be levied or collected in respect of supply of pulley, wheels and other parts (falling under heading 8483) and used as 10 parts of agricultural machinery (falling under headings 8432, 8433 and 8436), during the period commencing from the 8th day of July, 2017 and ending with the 31st day of December, 2018 (both days inclusive).

(2) No refund shall be made of all such tax which has been collected, but which would not have been so collected, had sub-section (1) been in force at all material times

Retrospective effect to notification issued under clause (ii) of proviso to sub-section (3) of section 54 of Jammu and Kashmir Goods and Services Tax Act. 174B. The notification of the Government of India in the Ministry of Finance (Department of Revenue) number G.S.R. 708(E), dated the 30th September, 2019, issued by the Central Government, on the recommendations of the Council, in exercise of the powers under clause (ii) of the proviso to sub-section (3) of section 54 of the Jammu and Kashmir Goods and Services Tax Act, 2017, read with sub-section (2) of section 9 of the Goods and Services Tax (Compensation to States) Act, 2017, shall be deemed to have, and always to have, for all purposes, come into force on and from the 8th day of July, 2017.

Schedule I.— In paragraph 4, for “taxable person”, substitute “person”.

Schedule II.— (i) In the heading, after the word “ACTIVITIES”, the words “OR TRANSACTIONS” shall be inserted and shall always be deemed to have been inserted with effect from the 1st day of July, 2017.

(ii) In paragraph 4, the words “whether or not for a consideration,” occurring at both the places, shall be omitted and shall be deemed to have been omitted with effect from the 8th day of July, 2017.

Schedule III.— (i) After paragraph 6, insert—

“7. Supply of goods from a place to another place without such goods entering into India.

8. (a) Supply of warehoused goods to any person before clearance for home consumption;

(b) Supply of goods by the consignee to any other person, by endorsement of documents of title to the goods, after the goods have been dispatched from the port of origin located outside India but before clearance for home consumption.”;

(ii) number the Explanation as Explanation 1 and after Explanation 1 as so numbered, insert—

‘Explanation 2.—For the purposes of this paragraph, the expression “warehoused goods” shall have the same meaning as assigned to it in the Customs Act, (52 of 1962).’

**10. THE JAMMU AND KASHMIR METROPOLITAN REGION DEVELOPMENT
AUTHORITIES ACT, 2018**

(Governor Act No. XLIX of 2018)

Throughout the Act including Preamble, except clause (5) of sub-section (1) of section 4 and sub section (2) of section 14 for “State” substitute “Union territory of Jammu and Kashmir”.

Section 2.— In sub-section (1), omit clause (r) and clause (t).

Section 3. – In sub-section (3), for “the General Clauses Act, Samvat, 1977” substitute “the General Clauses Act, 1897 (10 of 1987)”.

Section 4. – For the Explanation substitute—

“Explanation.—During the continuation of Proclamation under section 73 of the Jammu and Kashmir Reorganisation Act, (34 of 2019), the term ‘Chief Minister’ shall mean and include ‘Lieutenant Governor’ for the purposes of this section”.

Insertion of new section -After section 16, insert-

**Unified Metropolitan
Transport Authority.**

“16A. (1) The Government may, by notification, establish a Unified Metropolitan Transport Authority for each of the Metropolitan Regions notified under clause (n) of sub-section (1) of section 2 of this Act.

(i) The Unified Metropolitan Transport Authority constituted under sub-section (1) shall form a part of the Srinagar Metropolitan Region Development Authority, or, as the case may be, of Jammu Metropolitan Region Development Authority, constituted by the Government in terms of section 3 of this Act.

(ii) The Unified Metropolitan Transport Authorities shall function under the superintendence and control of the respective Metropolitan Region Development Authorities, and any expenses incurred or any income accrued on account of the functioning of the Unified Metropolitan Transport Authority shall be made out of or paid into, as the case may be, the fund of the respective Metropolitan Region Development Authority.

**Composition of Unified
Metropolitan Transport
Authority.**

16B.-(1) The Unified Metropolitan Transport Authority shall consist of the following, namely:-

- (a) The Chief Secretary to the Government of Jammu and Kashmir;
- (b) Administrative Secretaries of Housing and Urban Development, Transport, Finance and Planning and PW (Roads and Buildings), and PHE (I&FC) Departments;
- (c) Divisional Commissioner of the region;
- (d) Transport Commissioner, Jammu and Kashmir;
- (e) Inspector General of Police, Traffic, Jammu and Kashmir;
- (f) Municipal Commissioner of the Municipal Corporation in the Metropolitan Region;
- (g) Vice-Chairman of the Srinagar Development Authority or of Jammu Development Authority, as the case may be;
- (h) Chief Executive Officer of Srinagar Smart City Ltd. or of Jammu Smart City Ltd., as the case may be;
- (i) Chief Executive Officer of Srinagar, Metropolitan Region Development Authority (SMRDA) or Chief Executive Officer of Jammu, Metropolitan Region Development Authority (JMRDA), as the case may be;

- (j) Chief Executive Officer, Economic Reconstruction Agency;
- (k) Managing Director, Mass Rapid Transit Corporation of the region;
- (l) Chief Town Planner, Town Planning Organization of the region;
- (m) A nominee of the Ministry of Housing and Urban Affairs, Government of India;
- (n) A nominee each of the National Highways Authority of India, Northern Railways, Airports Authority of India and Inland Waterways Authority of India; and,
- (o) Two members who are experts in the field of urban transport, to be nominated by the Government.

(2) The Chief Secretary shall be the Chairperson of the Unified Metropolitan Transport Authority, and the Chief Executive Officer of the respective Metropolitan Region Development Authority shall be the Member-Secretary of the Unified Metropolitan Transport Authority.

(3) The decisions of the Unified Metropolitan Transport Authority shall be by voting, and each member, except those nominated under clause (l), clause (m) and clause (n) of sub-section (1) and shall have no voting rights, shall have one vote each, and the Chief Secretary shall have a casting vote.

(4) The provisions of the section 8 regarding authentication of proceedings shall mutatis mutandis apply to the proceedings of the Unified Metropolitan Transport Authority.

Functions of Unified Metropolitan Transport Authority.

16C. (1) The main object of the Unified Metropolitan Transport Authority shall be to secure the development of an integrated, efficient, modern, multi-modal mobility system including non-motorised means of mobility with focus on movement of people and goods instead of vehicles for the area falling in the jurisdiction of the Metropolitan Region Development Authority of which it is a part, and it shall undertake all such activities as are necessary or incidental to achieving this object.

(2) Without prejudice to the generality of the provisions of sub-section (1), the Authority shall discharge the following functions, namely:-

- (i) formulation of policy to guide the approach for developing the transport system in the region;
- (ii) identification of sources of finance for the development of transport infrastructure;
- (iii) identification of the need and finalization of the regulatory mechanism(s) to regulate integration between different modes, safety, fares, interoperability, and other allied aspects;
- (iv) identification of interventions in terms of infrastructure and amenities required to be made to achieve the object set out in sub-section (1); and,
- (v) research and development on mobility, and capacity building and upgradation of skills of the stakeholders.

Section 17.—

(i) For sub-section (1), substitute —

“(1) The Unified Metropolitan Transport Authority shall, in order to achieve the object set out in sub-section (1) of section 16C prepare a strategic plan document to be called as Mobility Management Plan through such internal or external consultations as it may deem necessary or expedient.”;

(ii) after sub-section (6), insert-

“(7) The proposals regarding the provision or development of any amenity including laying and improvement of roads, sidewalks, metro networks, waterways, rolling stock, vehicles, vessels or any other item required to implement the Mobility Management Plan shall be included in the Infrastructure Development Plan under section 15 and in the Annual Plan for infrastructure development under section 16 in such a manner so as to adhere to the timelines for the development of such amenities stipulated in the Mobility Management Plan.

(8) In case the Unified Metropolitan Transport Authority is of the opinion that the funding required for the development of amenities as envisaged in the Mobility Management Plan is not being adequately provided, it may recommend to the Authority to constitute a separate fund under section 27 with such stipulations as would ensure adequate financing for the Mobility Management Plan.”.

Section 38.—

In sub section (8), for “ Jammu and Kashmir Arbitration and Conciliation Act, 1997” substitute “Arbitration and Conciliation Act, (26 of 1996)”.

Section 48.—

For “State Ranbir Penal Code, Samvat 1989” substitute “Indian Penal Code, (45 of 1860)”.

[F.No. 11012/16/2020-SRA]

AJAY KUMAR BHALLA, Home Secy.

MINISTRY OF HOME AFFAIRS
(Department of Jammu, Kashmir and Ladakh Affairs)

ORDER

New Delhi, the 16th October, 2020

S.O. 3654(E).—In exercise of the powers conferred by section 96 of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), and of all other powers enabling it in that behalf, the Central Government hereby makes the following Order in respect of the Union territory of Jammu and Kashmir, namely:—

1. (1) This Order may be called the Union Territory of Jammu and Kashmir Reorganisation (Adaptation of State Laws) Fourth Order, 2020.

(2) It shall come into force with immediate effect.

2. The General Clauses Act, 1897 applies for the interpretation of this Order as it applies for the interpretation of laws in force in the territory of India.

3. With immediate effect, the Acts mentioned in the Schedule to this Order shall, until repealed or amended by a competent Legislature or other competent authority, have effect, subject to the adaptations and modifications directed by the said Schedule, or if it is so directed, shall stand repealed.

4. Where this Order requires that in any specified section or other portion of an Act, certain words shall be substituted for certain other words, or certain words shall be omitted, such substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that section or portion.

5. The provisions of this Order which adapt or modify or repeal any law so as to alter the manner in which, the authority by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the 31st October, 2019; and any such notification, order, commitment, attachment, bye-law, rule, regulation or anything may be revoked, varied or undone in the like manner, to the like extent and in the like circumstances as if it had been made, issued or done after the commencement of this Order by the competent authority and in accordance with the provisions then applicable to such case.

6. The repeal or amendment of any law specified in the Schedule to this Order shall not affect—

- (a) the previous operation of any law so repealed or anything duly done or suffered thereunder;
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed;
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019) or this Order had not been passed or issued.

THE SCHEDULE

(See Paragraph 3)

STATE LAWS

1. THE JAMMU AND KASHMIR PANCHAYATI RAJ ACT, 1989

(Act No. IX of 1989)

Unless otherwise provided for, throughout the Act, for the words “Code of Civil Procedure, Samvat 1977”, “Code of Criminal Procedure, Samvat 1989”, “Government”, “Government Gazette” and “State” wherever occurring, substitute respectively “Code of Civil Procedure, 1908 (5 of 1908)”, “Code of Criminal Procedure, 1973 (2 of 1974)”, “Government of the Union territory of Jammu and Kashmir”, “Official Gazette” and “Union territory of Jammu and Kashmir”.

Section 1.— In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Jammu and Kashmir”.

Section 2.—

- (i) In clause (e), for sub-clause (iii), substitute—
“(iii) The District Development Council;
- (iv). District Planning Committee”;

- (ii) for clause (g), substitute -
 “(g) “District Development Council” means a District Development Council constituted under this Act;
 (gg) “District Planning Committee” means a “District Planning Committee” constituted under this Act”.
- (iii) Omit clause (mm);
- (iv) in clause (u), for sub-clause (ii), substitute-
 “(ii) the District Development Council.”.

Insertion of new Section 2A-

After section 2, insert –

Substitution of certain expressions. “2A. Throughout the Act, for “District Planning and Development Board” wherever then occur substitute “the District Development Council”.

Insertion of new Chapter-

After Chapter I, insert -

“CHAPTER I-A

Ward Majlis and Halqa Majlis

Ward Majlis (Ward Sabha).

3A. (1) For every ward of the Halqa Panchayat as may be determined in accordance with the provisions of clause (f) of sub-section (2) of section 2 , there shall be a Ward Majlis.

(2) All adult persons of the ward whose names are included in the electoral rolls relating to Halqa Panchayat shall be deemed to be constituted as Ward Majlis of such Halqa Panchayat.

(3) The Ward Majlis shall meet at least once in three months and the procedure for convening and conducting the meeting of the Ward Majlis shall be such as may be prescribed.

(4) The meeting of the Ward Majlis shall be presided over by the Panch or in his absence by a member of the Ward Majlis to be elected for the purpose by the majority of the members present in the meeting.

(5) The quorum of the meeting of the Ward Majlis shall be not less than one-tenth of the total members out of which members belonging to the Scheduled Castes and the Scheduled Tribes and Women shall be in proportion to their population.

(6) All resolutions in respect of any subject in the meeting held under this section shall be passed by a majority of the members present and voting.

(7) Notwithstanding anything contained in sub-section (1), a special meeting of Ward Majlis shall be convened where at least ten percent. of the voters of the ward make a request in writing specifying the subject for the meeting:

Provided that no two special meetings shall be held within a period of three months.

Functions of Ward Majlis.

3B. The functions of the Ward Majlis within its respective jurisdiction shall be to assist the Deh Majlis and also include the following functions, namely:-

- (i) to render assistance to the Halqa Panchayat in collection and compilation of details required for formulation of development plans;
- (ii) to generate proposals and fix priority of development schemes and programmes to be implemented in the area of the Ward Majlis;
- (iii) to identify beneficiaries in order of priority, for the implementation of development schemes pertaining to the area of Ward Majlis;
- (iv) to render assistance in effective implementation of development scheme;
- (v) to suggest the location of public utilities, amenities and services like street lights, community water taps, public wells, public sanitation units, irrigation facilities, etc;
- (vi) to formulate schemes and impart awareness on matters of public interest like cleanliness, preservation of environment, prevention of pollution, guarding against social evils, etc;
- (vii) to promote harmony and unity among various groups of people;

- (viii) to verify the eligibility of persons getting various kinds of welfare assistance from Government such as pensions and subsidies;
- (ix) to collect information on the details estimates of works proposed to be taken in the area;
- (x) to undertake social audit in all works implemented in the area and award utilisation and completion certificate for such works;
- (xi) to promote literacy, education, health, child care and nutrition;
- (xii) to assist the activities of parent-teacher associations in the area; and
- (xiii) to exercise such other functions as may be prescribed.

Halqa Majlis (Gram Sabha).

3C. (1) There shall be a Halqa Majlis for each Halqa Panchayat consisting of such persons whose names have been included in the electoral rolls relating to the village or the group of villages comprised within the area of the Halqa Panchayat.

(2) The meetings of the Halqa Majlis shall be convened by the Sarpanch of the Panchayat or, in his absence, by the Naib-Sarpanch of such Panchayat, and in the event of both the Sarpanch and the Naib-Sarpanch being absent, a meeting of the Halqa Panchayat shall be presided by one of the Panchauthorised by the Halqa Panchayat.

(3) The procedure for convening and conducting the meeting of the Halqa Majlis shall be such as may be prescribed.

(4) There shall be at least four meetings of the Halqa Majlis every year, one in every quarter of the financial year:

Provided that in case of urgency, the meeting of the Halqa Majlis may be convened earlier in accordance with such procedure as may be prescribed in this behalf.

(5) The Secretary Panchayat shall record the minutes of the meeting of Halqa Majlis and the Inspector Panchayat of the concerned area shall attend all such meetings and be responsible for the correct recording to the minutes of such meetings by the Secretary of the Panchayat.

(6) The quorum of the meeting of the Halqa Majlis shall be not less than one-tenth of the total members out of which members belonging to the Scheduled Castes, the Scheduled Tribe and Women shall be in proportion to their population.

(7) Any resolution relating to the matters entrusted to the Halqa Majlis under this section, shall have to be passed by a majority of votes of the members present and voting in the meeting of the Halqa Majlis.

Functions of Halqa Majlis.

3D. The functions of the Halqa Majlis within its respective jurisdiction shall be to assist the Halqa Panchayat and also include the following functions, namely:-

- (i) to approve the plans, programmes and projects for social and economic development in order of priority, out of the plans, programmes and projects approved by the Ward Majlis before such plans, programmes and projects are taken up for implementation by the Panchayat;
- (ii) to identify or select persons as beneficiaries under the poverty alleviation and other programmes, in order of priority out of the persons identified by the various Ward Majlis coming under its jurisdiction;
- (iii) to conduct social audit as per prescribed procedure in respect of funds utilised under different schemes in wards;
- (iv) to mobilise voluntary labour and contribution in kind or cash or both for the community welfare programmes;
- (v) to promote literacy, education, health and nutrition;
- (vi) to promote unity and harmony among all sections of the society in such area;
- (vii) to seek clarifications from the Sarpanch and members of the Panchayat about any particular activity, scheme, income and expenditure;
- (viii) to identify and approve development works in order of priority from out of the works recommended by the Ward Majlis;
- (ix) to plan and manage minor water bodies;
- (x) to manage minor forest produce;
- (xi) to exercise control over institutions and functionaries in all social sectors;

- (xii) to exercise control over local plans and resources for such plans including tribal sub-plan;
- (xiii) to consider and approve the recommendations made by each Ward Majlis in the area of such Panchayat Halqa; and
- (xiv) such other functions as may be prescribed.”

- Section 4.**
- (i) in sub-section (2b), for “two meetings” substitute “four meetings”;
 - (ii) in sub-section (3), in the first proviso, for “total number of panch seats in that panchayat” substitute “total number of panch seats to be filled by direct election in that panchayat”;
 - (iii) in sub-section (3), for “including the Sarpanch” substitute “excluding the Sarpanch”;
 - (iv) after sub-section (3), insert -
“(3A) The Sarpanch shall be elected directly by the electorate of Halqa Panchayat in such manner as may be prescribed.”;
 - (v) in sub-section (4), for “the sarpanch and Naib-Sarpanch” substitute “the Naib-Sarpanch”.

Section 5. Insert the provisos-

“Provided that in case of a bye-election or elections to fill casual vacancy, the tenure of Sarpanch, Naib Sarpanch or Panch so elected shall be co-terminus with the term of the Panchayat:

Provided further that in case a Panchayat is not constituted for any reason whatsoever and election for same is held, the tenure of Sarpanch, Naib Sarpanch or Panch so elected shall be remainder of the term with such Panchayat being deemed to have been constituted from the date first Panchayat is constituted after the general elections of Panchayats.”

Section 6. In sub-section (1),-

- (i) omit clause (a); and
- (ii) in clause (i), for “the Jammu and Kashmir Probation of Offenders Act, 1966” substitute “the Probation of Offenders Act, 1958 (2 of 1958)”.

Section 7. For “six consecutive meetings” substitute “three consecutive meetings”.

Section 8. (i) For sub-Section (1), substitute-

“(1) Whenever a vacancy occurs by the death or resignation of Panch or Sarpanch, the vacancy shall be filled by election:

Provided that the remainder of term for such vacancy is more than six months:

Provided further that the tenure of the Panch or Sarpanch so elected shall be as per provisions of section 5 and that the election shall be held as per the reservation roster prepared during the general election held for the Panchayats where such vacancies have arisen or where such election could not materialise.”

- (ii) in sub-section (2), for “50% of the total number of members” substitute “50% of the total number of elected members”.

Section 8-A. Omit.

For section 9, substitute-

Appointment of Administrator. “9. (1) (a) If the Government is satisfied that a Halqa Panchayat for a village or a group of villages immediately after the establishment of such Halqa Panchayat cannot be constituted -

- (i) by reason of any difficulty in holding the election of the members of the Halqa Panchayat; or
- (ii) by reason of failure to elect such members at two successive elections held under the provisions of this Act; or
- (iii) because of any other sufficient reason whatsoever; or

(b) If at any general election to a Halqa Panchayat, either no member is elected or Sarpanch is elected but no other member is elected or other members are elected but Sarpanch is not elected,

the Government shall by notification appoint an Administrator, who shall be an employee of the Government,

Provided that an Administrator so appointed shall hold office for a period of six months which may be extended by the Government for a period of three months by a

notification in the Official Gazette.

(2) If in the opinion of the Government, or any other officer authorised by it, but not below the rank of Additional District Magistrate, a Halqa Panchayat is incompetent to perform or persistently makes default in the performance of duties imposed on it by or under any of the provisions of this Act, or otherwise through Government instructions, the Government or such officer after the approval of the Government may, by notification, based on the recommendations of the Ombudsman, supersede such Halqa Panchayat and appoint an Administrator, who is an employee of the Government for carrying out the work of Halqa Panchayat:

Provided that no order under this sub-section shall be passed unless Halqa Panchayat is called upon to show cause why such order shall not be passed:

Provided further that explanation tendered by the Halqa Panchayat shall be forwarded to the Ombudsman appointed under the Jammu and Kashmir Ombudsman for Panchayats Act, 2014 for consideration and recommendation to the Government or officer authorised by it.

(3) The period of supersession shall not exceed six months during which the elections for the said Halqa Panchayat shall be held.

(4) The Administrator appointed under sub-section (2) shall hold office for such period not exceeding six months as the Government or officer authorised by it, may specify in the notification under sub-section (1) or sub-section (2).

(5) On the appointment of an Administrator under sub-section (2),-

(i) the persons, if any, chosen as members of Halqa Panchayat, including Sarpanch before such appointment shall cease to be members of Halqa Panchayat and all the powers and duties of the Halqa Panchayat shall be exercised and performed by such Administrator;

(ii) the funds and other property vested in the Halqa Panchayat shall, during the period of supersession, vest in the Administrator appointed under this section.

(6) The Administrator appointed under sub-sections (1) and (2), shall be deemed to be Halqa Panchayat for the purposes of this Act, notwithstanding anything contained in the foregoing provisions.”.

Section 10.— Omit

Section 11.- For “resigning his office and” substitute “resign his office and on acceptance of his resignation by such authority”.

For section 12, substitute—

Powers and functions of Halqa Panchayat.

“12.(1) The Halqa Panchayat shall perform the functions specified in Schedule I-A:

Provided that where the Government provides funds for the performance of any function specified in Schedule I-A, the Halqa Panchayat shall perform such function in accordance with the guidelines or norms laid down by the Government for performing such function.

(2) Notwithstanding anything contained in sub-section (1) and Schedule I-A, subject to the provisions of this Act, it shall be the duty of each Halqa Panchayat to make provision for the following subject to, the availability of funds at its disposal—

(i) to prepare the plans for the development of the Halqa in consultation with Halqa Majlis and their timely submission to Block Development Council for consolidation;

(ii) to undertake measures for the implementation of the development plans;

(iii) to specifically deal with the problems of soil conservation, water management, social forestry, rural industrialisation, agriculture, sheep and animal husbandry, sanitation, health and other welfare programmes;

(iv) regulation of buildings, shops and entertainment houses and checking of offensive or dangerous trades;

(v) construction and maintenance of slaughter houses, regulation of sale and preservation of meat and processing of skins and hides;

(vi) regulation of sale and preservation of fish, vegetables and other perishable articles and food;

- (vii) regulation of fairs and festivals;
- (viii) preparation and implementation of special development plans for alleviating poverty and employment generation as may be notified by the Government from time to time; and
- (ix) all matters involving regulation, supervision, maintenance and support, incidental to, or necessary for the more efficient discharge of the above functions and those which may be entrusted to Halqa Panchayat under the provisions of this Act.

(3) The Halqa Panchayat shall also conduct concurrent and quarterly social audit of all works, schemes and project being implemented in the Panchayat areas as per procedure to be notified by the Government.

(4) The Halqa Panchayat shall also perform such other functions and duties as may be assigned or entrusted to it by the Government, the District Planning and Development Board and the Block Development Council within the area in which Halqa Panchayat is constituted.”.

Section 14.- After sub-section (1), insert -

“(2) The Halqa Panchayat shall have power to operate the funds, grants, etc. specified in Schedule 1-C in the manner specified.”.

Insertion of new Section 2

For section 15 substitute—

Imposition of fee by Halqa Panchayat.

“15. (1) Every Halqa Panchayat shall in such manner and in accordance with such rules as may be notified by the Government, impose a fee on commercial buildings subject to such exemptions as may be prescribed:

Provided that where the owner of the building has left the Panchayat area or cannot be otherwise found, the occupier of such building shall be liable for the fee leviable on such owner:

Provided further that in the absence of Halqa Panchayat, the concerned Block Development Officer shall be empowered to collect the fees and taxes already imposed by the Halqa Panchayat.

(2) A Halqa Panchayat may also levy fee on all or any of the following items at such rates as may be determined by the Halqa Panchayat and subject to such exemptions as may be notified by the Government from time to time, namely:-

- (a) fee on entertainment;
- (b) fee on advertisements and hoardings;
- (c) fee on commercial tractors kept in area of the Halqa Panchayat;
- (d) fee on business and professions within the jurisdiction of Halqa Panchayat like on rice husking mills, saw mills, flour mills, rice mills, gharats, brick kilns, oil mills, slaughter houses, petrol pumps, private hospitals, laboratories, diagnostic-centres, soda, ice, ice-cream factories, spice grinding mills, motor vehicles, tractor dealers, liquor shops, hot wet mix plant, stone crushers, poultry, dairy farms, horse traders, small scale industrial units, mobile towers, power plants, printing presses, kerosene oil, ration, dealers, etc;
- (e) fee on contractors for executing such works allotted to them by the Government within the jurisdiction of Halqa Panchayat;
- (f) fee on travel agents and transport agencies;
- (g) fee on organising melas, festivals, etc. where necessary arrangement for the water supply, health and sanitation are to be made by the Halqa Panchayat or where such melas or festivals are held on Panchayat land;
- (h) fee on registration of shops and other commercial establishments in the jurisdiction of Halqa Panchayat;
- (i) fee on buses, other passenger vehicles and commercial vehicles on account of haltage within the jurisdiction of Halqa Panchayat for providing adequate facilities for the travelers by the Gram Panchayat;
- (j) fee on cattle pounds;
- (k) fee on road cutting for laying optical fiber cable;

- (l) royalty for extraction of minor minerals from local nallahs not falling under the ambit of Geology and Mining Department and not exempted from royalty under any specific provision of law;
- (m) penalty for use of plastic or polythene and for open defecation;
- (n) sanitation cess; and
- (o) such other fee as may be approved by the Government:

Provided that the Government may at any time after giving an opportunity of being to the Halqa Panchayat cancel or modify or alter rate of any fee imposed under this section”.

After section 15 insert—

Revision of fee and rates. “15A. – The Halqa Panchayat may revise the fees and rates leviable under section 15, at the most once, in a two year period.”.

Section 16.- For “Sarpanch” substitute Halqa Panchayat”.

Section 19.- For the full stop (.) at the end substitute colon (:) and thereafter, insert-

“Provided that no such revision shall be made unless an opportunity of being heard is provided to the Halqa Panchayat”.

For section 20, substitute:-

Accounts and audit. **20.** The books of accounts of the Halqa Panchayat shall be maintained in such form and manner as may be prescribed:

Provided that Halqa Panchayat shall be required to get its accounts audited by a Chartered Accountant every year:

Provided further that Government through a prescribed authority shall get the accounts of the Halqa Panchayat audited in the manner prescribed.”.

For section 26, substitute:-

- Staff.** **26.** (1) Subject to such rules as may be prescribed in this behalf, a Halqa Panchayat may employ such staff as is necessary for carrying out the duties imposed on it by this Act.
- (2) A Halqa Panchayat shall pay remuneration to such staff out of its own resources.
- (3) The Government shall also provide staff to the Halqa Panchayat as specified in Schedule I-B for carrying out the purposes of this Act.

Section 27. - Omit last proviso to sub-section (3).

Section 28.— Omit sub-section (4).

Section 30.- For “Panches and Sarpanches” substitute “Sarpanches”.

For section 31, substitute –

Powers and functions of Block Development Council. “31. (1) The Block Development Council shall perform functions specified in Schedule II-A:

Provided that where the Government provides funds for the performance of any function specified in Schedule II-A, the Block Development Council shall perform such function in accordance with guidelines or norms laid down by the Government for performing such function.

- (2) Notwithstanding anything contained in sub-section (1) and Schedule II-A, and subject to the provisions of this Act, it shall be the duty of each Block Development Council to perform the following functions:-
- (i) compilation of all Panchayat level plans and their timely submission to District Planning and Development Board for integration with District Plan;
 - (ii) preparation of all Block Level Plans and timely submission of the same to the District Planning and Development Board for Integration with District Plan;
 - (iii) construction, maintenance and supervision of Inter-Halqa Panchayat Communication System;

- (iv) administrative and technical guidance to Halqa Panchayats and review of their work;
 - (v) to supervise plans relating to agriculture, rural development, animal husbandry, sheep husbandry, social forestry, education and public health;
 - (vi) monitor such programs as may be notified by the Government from time to time, including Mahatama Gandhi National Rural Employment Guarantee Act, National Rural Livelihood Mission, Prime Minister Awas Yojna, Integrated Watershed Management Programme, Mid-day Meal Scheme and Integrated Child Development Services;
 - (vii) undertake measures for effective supervision and monitoring of various developmental programmes; and
 - (viii) to carry out such other functions as may be entrusted to it by the Government or by the District Planning and Development Board.
- (3) The Block Development Council may form such sub-committees as required for carrying out the purposes of this Act and in accordance with the procedure laid down in this behalf.
- (4) Subject to such rules as may be prescribed in this behalf, the Block Development Council may employ such staff as is necessary for carrying out the duties imposed on it by this Act.
- (5) The Block Development Council shall pay the remuneration to such servant out of its own resources.
- (6) The Government may also provide the staff to the Block Development Council as specified in Schedule II-B for carrying out the purposes of this Act.”.

Section 34.- After sub-section (2), insert-

“(3) The Block Development Council shall have power to operate funds, grants, etc. specified in Schedule II-C in the manner prescribed.”

Section 36.- (i) In sub-section (1), for the second proviso substitute-

“Provided further that for purposes of holding general elections under this Act upto December, 2020 or until a full time State Election Commissioner is appointed earlier, the superintendence, direction and control of the preparation of electoral rolls and conduct of, all elections in accordance with this Act shall vest in the Chief Electoral Officer”;

(ii) in sub-section (2), for “State” and “Government Gazette” substitute “Union territory” and “Official Gazette” respectively

(iii) in sub-section (3), insert -

“Provided that when the Proclamation under section 73 of the Jammu and Kashmir Reorganisation Act, 2019 is in force, State Election Commissioner shall be appointed by the Lieutenant Governor of Union territory of Jammu and Kashmir”;

(iv) in sub-section (4), for “State” substitute “Union territory”;

(v) in sub-section (5), omit “and Constitution of Jammu and Kashmir”; and

(vi) for “Governor” wherever occurring, substitute “Lieutenant Governor”.

Sections 36-A, 36-B and 36-C.- For “Governor” wherever occurring, substitute “Lieutenant Governor”.

Section 36-D.-(i) in sub-section (1), for “the Code of Civil Procedure, Samvat 1977” substitute “the Code of Civil Procedure, 1908 (5 of 1908)”; and

(ii) in sub-section (2), after clause (cc), for the proviso substitute-

“Provided that for the purposes of holding general elections under this Act upto December 2020 or until a full time State Election Commissioner is appointed earlier, the

power to determine and delimit halqa panchayats in accordance with this Act shall vest in the Chief Electoral Officer.”.

Section 38. For "every Halqa Panchayat" substitute "every election to be held under this Act".

Section 39. Omit clause (i).

After section 39, insert –

Election of Sarpanches of Halqa Panchayats. “40. – Sarpanches of Halqa Panchayats shall be elected by electorate of the Halqa Panchayat.”.

Section 42. (i) In sub-section (1), for “or within six months from the date of supersession” substitute “or within six months from the date of appointment of Administrator under section 9”.

(ii) for sub-section (2), substitute -

“(2) The election of the Chairperson of the Block Development Council shall be held not later than three months after the constitution of Panchayats or six months after a casual vacancy occurs, as the case may be.

Section 42-A. (i) for sub-section (1), substitute-

“(1) Any person may nominate himself as a candidate for election of:-

- (a) Panch or Sarpanch of a Halqa Panchayat if his name is included in the electoral roll of such Halqa Panchayat;
- (b) Chairperson of a Block Development Council if his name is included in the electoral roll of such Block Development Council; and
- (c) directly elected members of a District Development Council if his name is included in the electoral roll of any Halqa Panchayat of such District.”,

(ii) in sub-section (2), for “Panch of a Halqa Panchayat or Chairperson, Block Development Council” substitute “Panch or Sarpanch of a Halqa Panchayat or Chairperson, Block Development Council or directly elected members or Chairperson of a District Development Council.”;

(iii) in sub-section (3):-

- (a) for “Panchayat Constituency or Block Development Council” substitute “Panchayat Constituency or Block Development Council or District Development Council”; and
- (b) for "Chairperson, Block Development Council" substitute “Chairperson, Block Development Council or directly elected members of a District Development Council”.

Section 43. - For “as Panch” substitute “as Sarpanch, Panch” and for “Chairperson of the Block Development Council” substitute “Chairperson of the Block Development Council or elected member or Chairperson of the District Development Council”.

Section 45. - For section 45, substitute:-

Establishment of District Development Council 45.- For each district there shall be a District Development Council, having jurisdiction, over the entire district excluding, such portions of the district as are included in a Municipality or Municipal Corporation constituted under any law for the time being in force.

Constitution of District Development Council 45-A.- (1) Every District Development Council shall consist of-

- (a) the directly elected members from territorial constituencies in the district;
- (b) the Members of the Legislative Assembly representing a part or whole of the district whose constituencies lie within the district; and
- (c) the Chairperson of all Block Development Councils of the district:

(2) The number of elected members of a District Development Council under clause (a) of sub-section (1) shall consist of persons elected from the territorial constituencies in the

district, as may be notified from time to time, which shall be fourteen in number.

(3) All members of District Development Council, whether or not elected by direct election from territorial constituencies in the district shall have the right to vote in the meeting of the District Development Council:

Provided that in the case of election or removal of the Chairman and Vice-Chairman only the directly elected members shall have the right to vote.

(4) Seats to be filled by direct election shall be reserved in the District Development Council-

(a) for the Scheduled Castes; and

(b) for the Scheduled Tribes,

and the number of seats to be filled by direct election so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in the District Development Council as the population of the Scheduled Castes in the district or of the Scheduled Tribes in the district bears to the total population of the district.

(5) Not less than one-third of the total number of seats reserved under sub-section (4) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(6) One-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every District Development Council shall be reserved for women.

(7) The seats reserved under sub-sections (4), (5) and (6) shall be allotted by rotation to different constituencies in the district in such manner as may be prescribed.

(8) The Additional District Development Commissioner of the District shall be the Chief Executive Officer of the District Development Council and he shall be assisted by the District level heads in the discharge of functions as such.

(9) The term of District Development Council shall be five years except for holding common elections to all the tiers of the Panchayats simultaneously so that all the tiers have co-extensive terms in the district.

(10) The provisions for disqualification from the membership of a Halqa Panchayat as provided under section 6 shall be applicable mutatis-mutandis to the directly elected members of the District Development Council.

(11) A Chairperson, Vice Chairperson of a District Development Council may, by writing under his hand, addressed to such authority and in such manner as may be prescribed, resign his office and on acceptance of the resignation by such authority the office shall thereupon become vacant.

(12) Any Chairperson vacating an office of District Development Council either by resignation or removal shall handover the charge to the Vice Chairperson of the District Development Council.

(13) In the event of the position of the Vice Chairperson having been vacated earlier, the Chairperson shall hand over the charge to the Chief Executive Officer.

(14) A Chairperson or a Vice Chairperson shall be deemed to have vacated his office forthwith if a resolution expressing want of confidence in his favour is passed by a majority of not less than two third of the directly elected Members of the District Development Council at a meeting specifically convened for the purpose in the prescribed manner on the following grounds, namely;-

(i) gross misconduct;

(ii) neglect of duty;

(iii) any disqualification prescribed under sub-section (10);

(iv) failure to attend three consecutive meetings of the District

Development Council:

Provided that failure to attend meetings of the District Development Council shall not render him liable to removal if such failure is due to reasons beyond his control.

**Election of
Chairperson and Vice-
Chairperson**

45-B.- (1) After the declaration of the results, the Deputy Commissioner shall, as soon as possible but not later than one week of such declaration, call under his presidentship a meeting of elected members of the District Development Council for the purposes of oath or affirmation or allegiance.

(2) Immediately after oath or affirmation of allegiance is administered or made, the elected members of a District Development Council shall, in the prescribed manner, elect from amongst themselves one of its members to be the Chairperson and another to be the Vice-Chairperson of the District Development Council:

Provided that if the office of the Chairperson or Vice-Chairperson, as the case may be, is vacated or falls vacant during the tenure on account of death, resignation or no-confidence motion, a fresh election within a period of three months from the date of occurrence of vacancy shall be held from the same category, in such manner as may be prescribed.

(3) One-third of the total number of seats for the office of the Chairperson of District Development Council in the Union territory of Jammu and Kashmir shall be reserved for women.

(4) The seats reserved under sub-sections (3) shall be allotted by rotation in such manner as may be prescribed.

Conduct of business. “45-C. (1)Meetings:

(1) The Chairperson shall convene atleast four meetings of the District Development Council in a financial year, one in each quarter which shall be called the ordinary or general meeting and every meeting of the District Development Council shall ordinarily be held at District Development Council headquarters:

Provided that the first meeting of the District Development Council shall be held within one month of its constitution.

(2) ‘Ten clear days’ notice of an ordinary meeting and ‘seven clear days’ notice of a special meeting specifying the time at which such meeting is to be held and the business to be transacted thereat shall be sent to the members and pasted at the office of the District Development Council.

(3) The Chairperson may, whenever deemed fit and shall upon the written request of not less than one third of the total number of members and on a date within fifteen days of receipt of such request call a special meeting and such request shall specify the object for which the meeting is proposed to be called.

(4) One half of the total members of the District Development Council shall form a quorum for transacting business at a District Development Council.

(5) Every meeting shall be presided over by the Chairperson or if he is absent or if the office of the Chairperson is vacant, by the Vice Chairperson and if both the Chairperson and Vice Chairperson are absent, the members present shall elect one from among themselves to preside.

(6) All questions shall, unless otherwise specially provided, decided by a majority of members present and voting.

(7)The proceedings of every meeting shall be recorded in the minute -book immediately after the deliberations of the meeting and shall after being read over by the Chairperson of the meeting, be signed by him.

(8) A copy of every resolution passed by a District Development Council at a meeting shall within ten days from the date of meeting be forwarded to the Government and copies of minutes shall be furnished to all Members.

(9) The District Development Council may require presence of officers at meetings- If it shall appear to a District Development Council that the attendance of any officer of the Government having jurisdiction over the area of the District Development Council, is desirable at a meeting of the District Development Council, the Chief Executive Officer shall by a letter addressed to such officer not less than fifteen days before the intended meeting, request the officer to be present at the meeting:

Provided that the officer on receipt of such letter may, if for any reasonable cause is unable to be present thereat, instruct his deputy or other subordinate to represent him at the meeting.

(10) Until the contrary is proved, every meeting of a District Development Council or of a committee appointed under this Act in respect of proceedings whereof a minute has been made and signed in accordance with this Act, shall be deemed to have been duly

convened and held and the members of the meeting shall be deemed to have been duly qualified and where the proceedings are the proceedings of a committee, such committee shall be deemed to have been duly constituted and to have had the power to deal with the matter referred to in the minute.

(11) During any vacancy in a District Development Council or a Committee, the Continuing Member or Members may act as if no vacancy has occurred

**Standing
Committees.**

45-D (1). In every District Development Council, the following standing committees shall be constituted, namely: -

- (i) Standing Committee for Finance;
- (ii) Standing Committee for Development;
- (iii) Standing Committee for Public Works;
- (iv) Standing Committee for Health and Education;
- (v) Standing Committee for Welfare.

(2) Every standing committee shall consist of such number of members, including its Chairperson as decided by the District Development Council, so that all other elected members except the Chairperson and Vice Chairperson shall be elected as a member in any of the standing committee and the number of members elected to each standing committee shall, as far as possible, be equal.

(3) The number of members of each standing committee as decided by the District Development Council shall not be changed within the term of that Council.

(4) In every standing committee there shall be members of the District Development Council elected from amongst themselves and a member shall not be a member of more than one standing committee at a time except when required due to insufficient number of members of the District Development Council.

(5) The Chairperson of every standing committee, except the standing committee for finance, shall, be elected by the members of the respective standing committee from amongst themselves.

(6) The Vice-Chairperson of District Development Council shall be an ex-officio member and Chairperson of the standing committee for finance and the Chairperson shall be an ex-officio member of all standing committees without the right to vote.

(7) A member other than an ex-officio member of a standing committee and the Chairperson of a standing committee other than the standing committee for finance may resign the membership or Chairmanship of a standing committee, as the case may be, by tendering resignation to the Secretary in the prescribed form and the resignation shall take effect from the date on which it was received by the Secretary and the Secretary shall inform the fact immediately to the Chairperson and the District Development Council.

(8) The person who resigns the membership or Chairmanship of the Standing committee shall give in person or send through registered post his resignation where such resignation letter is attested by a gazetted officer, as the case may be, to the Secretary and the Secretary shall acknowledge receipt of the same.

(9) Except as otherwise provided in this Act, the term of the Chairman of a standing committee or its member shall co-exist with the term of that Council.

(10) An election to fill up casual vacancy of the member of standing committee shall be conducted within thirty days of the occurrence of that vacancy:

Provided that where the vacancy in a standing committee could not be filled up due to the vacancy of a member of Council, the vacancy of standing committee shall be filled up within thirty days from the date of filling up of the vacancy of the member of Council.

(11) If a casual vacancy of the Chairman of a standing committee other than the standing committee for finance arises one of its members shall be elected as its Chairman in the next meeting of the standing committee.

(12) A motion of no-confidence on the Chairperson of the standing committee other than the standing committee for finance may be moved subject to the prescribed provisions and procedures and if such a motion is passed with the support of not less than the majority of the members of the standing Committee, the Chairman of that standing committee shall cease to hold office and he shall be deemed to have vacated the office of the chairman of the standing committee immediately.

- (13) Standing Committee for finance shall deal with the subjects like finance, accounts, audit, budget, general administration and subjects not allowed to other standing committees.
- (14) The Standing Committee for Development shall deal with the subjects like development planning, socio-economic planning, agriculture, soil conservation, animal husbandry, minor irrigation, fisheries, small scale industry, etc.
- (15) The Standing Committee for Public Works shall deal with the subjects like public works, housing, spatial planning and environment.
- (16) The Standing Committee for Health and Education shall deal with subjects like public health and education.
- (17) The Standing Committee for Welfare shall deal with subjects like social welfare, development of women and children and development of Scheduled Castes and Scheduled Tribes.
- (18) The standing committees of the Council may perform such other powers and functions of the Council as may be entrusted to it by the Council in addition to the powers and duties conferred on it by rules made in this behalf.
- (19) Every resolution passed by the standing committee shall be placed before the Council in its next meeting and the Council shall have power to modify such resolution if considered necessary.
- (20) The standing committees shall perform their functions and conduct their business in the manner prescribed.”.

Section 46.-

In sub-section (1),-

- (a) after “the following powers and functions” insert “in addition to functions specified in Schedule III” ;
- (b) for clause (i), substitute –
- “(i) To consider and guide the formulation of development programmes for the area of the district under its authority and indicate priorities for various schemes and consider issues relating to the speedy development and economic upliftment of the of area of the District under its authority;”;
- (c) for clause (ii), substitute -
- “(ii) to review periodically progress and achievements of developmental plans and schemes and make recommendations to the Government, District Development Committee, Block Development Councils and Halqa Panchayats as it considers appropriate;
- (ii-a) to receive all Block Level Plans and consolidated panchayat Plans from Block Development Council; compile, consolidate and integrate all plans into the District Plan and forward to the District Planning Committee which shall form the basis for the District Plan.”;
- (d) omit clause (iii) and clause (iv).

For section 47, substitute-

- Staff and property and finance.** 47. (1) Subject to such rules as may be prescribed in this behalf, the District Development Council may employ such staff as is necessary for carrying out the duties imposed on it by this Act.
- (2) The District Development Council shall pay the remuneration to such staff out of its own resources.
- (3) The Government may also provide the staff to the District Council as required carrying out the purposes of this Act.
- (4) Every District Development Council shall have a fund to be called the District Development Council Fund comprising grants by the Government and own resources.
- (5) The District Development Council shall have powers to acquire, hold or dispose of property or enter into a contract in accordance with the rules prescribed.

Insertion of new Chapter-

After Chapter XII, insert-

“Chapter XII-A**District Planning Committee**

District Planning Committee.	<p>47A.(1)For every District, there shall be a District Planning Committee comprising of the following, namely-</p> <ul style="list-style-type: none"> (i) Members of Parliament representing the area (ii) Members of the State Legislature representing the areas within the District. (iii) Chairperson of the District Development Council of the District. (iv) Chairpersons of the Town Area Committees/Municipal Committees of the District; (v) President of the Municipal Council/Municipal Corporation, if any; (vi) District Development Commissioner; (vii) Additional District Development Commissioner; (viii) District Statistics and Evaluation Officer; (ix) Chief Planning Officer; (x) All District Level officers shall be ex-officio members of the Committee. <p>(2) The Member of Parliament representing the area shall be the Chairperson of the Committee.</p>
Functions of District Planning Committee.	<p>47B. The District Planning Committee shall perform the following functions:-</p> <ul style="list-style-type: none"> (i) to consider and guide the formulation of development programmes for the District and indicate priorities for various schemes and consider issues relating to the speedy development and economic upliftment of the District; (ii) to function as a working group for formulation of periodic and annual plans for the District; (iii) to formulate and finalise the plan and non-plan budget for the District.”.
Section 52.-	For “Government” wherever occurring substitute “Government or any other officer specially empowered or authorised in this behalf”.
Section 55. -	<ul style="list-style-type: none"> (i) In sub-section (1), for “Ranbir Penal Code, Samvat 1989” substitute “Indian Penal Code (45 of 1860)”; and (ii) in sub-section (2), for “Judicial Officers Protection Act, 1971” substitute “Judicial Officers Protection Act, 1850 (18 of 1850)”.
Section 62.-	For “fifteen years of age” substitute “eighteen years of age”.
Section 64.-	For “section 488” substitute “section 125”.
Insertion of new Section - After section 79, insert –	<p>Government’s power to specify role of Halqa Panchayats, etc.</p> <p>“79A.(1)The Government may, by general or special order, specify from time to time, the role of Halqa Panchayats, Block Development Council and District Development Council, in respect of the programmes, schemes and activities related to the functions specified in the Schedules, in order to ensure properly coordinated and effective implementation of such programmes, schemes and activities.</p> <p>(2) The Government may, by notification, in the Official Gazette add any activity, programme or scheme to those covered by or mentioned in Schedules, and on the issue of such notification, the Schedules shall be deemed to have been amended accordingly and every such notification shall be placed before the Legislative Assembly.”.</p>
Schedule.- Omit entry (F); and, for entries (B), (C), (D), (E) and (I) respectively substitute -	<ul style="list-style-type: none"> “(B) Offences under the Cattle Trespass Act, 1871. (C) Offences under the Vaccination Act, 1880. (D) Offences under the Prevention of Cruelty to Animals Act, 1960. (E) Offences under the Public Gambling Act, 1857. (I) Offences under the Dowry Prohibition Act, 1961.” .
Insertion of new Schedule- After the existing Schedule insert -	

“SCHEDULE I-A**(See section 12)****GENERAL**

- I It shall be the duty of the Halqa Panchayat, to meet the requirements of the Halqa Panchayat area, subject to availability of funds, in respect of the matters enumerated in this Schedule and also as elaborated in the responsibility mapping in respect of Halqa Panchayats.
- II Subject to the other provisions of this Act and the guidelines and with the assistance of the Government, financial, technical or otherwise, the Halqa Panchayat shall have the power to administer the matters enumerated in this Schedule and to prepare and implement schemes relating thereto for development and social justice purposes, and planning and implementation of all Centrally Sponsored Schemes in the Halqa Panchayat which are in operation or to be launched by the Government of India, as the case may be, shall also be the responsibility of the Panchayats.
- III Halqa Panchayat shall prepare the plans for and to implement all schemes in accordance with the provisions contained in the guidelines of the schemes and instructions issued by the Government of India and the Union territory Government from time to time.
- IV. The Halqa Panchayat shall carry out its functions in accordance with the set of guidelines for estimation of the projects as well as expenditure sanction issued by the Government.

(A) General Functions-

- (i) Preparation of annual plans for the development of the Panchayat area in general and separately under all schemes and programmes as per the targets assigned by the District Planning and Development Board (DP&DB).
- (ii) Preparation of annual budget.
- (iii) Providing relief in natural calamities.
- (iv) Removal of encroachments on public properties.
- (v) Organising voluntary labour and contribution for community works.
- (vi) Maintenance of essential statistics of the villages.
- (vi) Identification of beneficiaries for all beneficiary oriented programmes and schemes.
- (vii) Repair, maintenance and upkeep of all Government assets.
- (viii) Supervision and inspection of all primarily level institutions like primary schools, primary health centers, primary veterinary centers, veterinary dispensaries, artificial insemination centres, first aid centers, etc.
- (ix) To act as Grievance Redressal Forum for the Halqa Panchayat.
- (x) To undertake constructions from Halqa Panchayat fund (own resources) within the area of the Halqa Panchayat.
- (xi) To undertake awareness generation and mobilisation of community for all Government priority areas like sanitation, renewable energy, sex ratio improvement, skill development, water conservation, waste to energy, financial inclusion, etc as prescribed from time to time.

(B). Specific Functions-**1. Agriculture, Horticulture, Animal Husbandry, Sheep Husbandry and Fisheries-**

- (i) Preparation of and supervision of activities under a comprehensive village horticulture, agriculture, sericulture plan in consultation with Halqa Majlis (Gram Sabha) so as to increase production.
- (ii) Preparation of annual plans and identification of beneficiaries under Agricultural Technology Management Agency scheme, Mission for Integrated Development of Horticulture scheme, Pradhan Mantri Gram Sadak Yojana, Blue Revolution, Pradhan Mantri Krishi Sinchai Yojana or any other scheme in force or introduced in future and their submission to Block Development Council.
- (iii) Preparation of plans regarding development of waste lands and grazing lands to ensure optimum utilisation of land.
- (iv) Establishment and maintenance of nurseries with Halqa Panchayat funds (own resources).
- (v) Preparation, recommendation and supervision of plan for farm mechanisation.
- (vi) Preparation and supervision of plans for soil, water conservation and seed protection.
- (vii) Preparation of watershed management plans and their implementation.
- (viii) Supervision of agriculture insurance plans and their implementation.
- (ix) Facilitate agriculture and horticulture extension activities including farm schools, exposure visits, crop protection and pest management campaigns, demonstrations, etc.

- (x) Supervise preparation of loss statements in the event of disasters.
- (xi) Distribution of inputs.
- (xii) Promote the formation of milk, wool, poultry farming and cooperative societies.
- (xiii) Monitoring and supervision of milk collections centers and societies.
- (xiv) Identification of sites for establishment and management of public market facilities (mandies) at Halqa Panchayat for promotion of rural farm products, craft products and display of market prices at such mandies.
- (xv) Regulation and conduct of fairs and festivals including cattle fair.
- (xvi) Providing storage and cold storage facilities for agro and horticulture products.
- (xvii) Facilitate farmers for direct marketing and e-marketing of agriculture and horticulture produce.
- (xviii) Preparation of plan to enhance milk, broiler and egg production and its by-products.
- (xix) Facilitate hand holding of private entrepreneurs.
- (xx) Promote collaborative cooperative model for dairy farmers.
- (xxi) Promote fodder development, vermi-composting and organic farming in the area.
- (xxii) Supervision of Primary Veterinary Centers, Veterinary Dispensaries and First Aid Centers.
- (xxiii) Construction and maintenance of buildings of the Department in the panchayat areas, wherever transferred to the Halqa Panchayats.
- (xxiv) Identification of fish farmers for training in fish culture and arranging their training with the assistance of Department of Fisheries.

2. Public Health Engineering, Irrigation and Flood Control Department-

- (i) Planning, construction, renovation and maintenance of all minor irrigation projects with 0-5 hectares area within the Halqa Panchayat area.
- (ii) Maintenance and implementation of timely and equitable distribution and full use of water of all such minor or micro irrigation projects within 0-5 hectares at Halqa Panchayat level.
- (iii) Development of plan for and implementing ground water recharging and rain water harvesting schemes and projects.
- (iv) Mapping and management of records of all water sources within the Halqa Panchayat area.
- (v) Maintenance of hand pumps through manpower provided by the Department.
- (vi) Maintenance of irrigation channels and khuls.
- (vii) To take measures for prevention and control of water pollution.
- (viii) Identification and supervision of potential or existing schemes.
- (ix) Preparing a chlorination roster for all water supply schemes and reservoirs within Halqa Panchayat area and ensuring display of dates of chlorination.
- (x) Collecting the required data and information for planning on quality and coverage of drinking water schemes.
- (xi) Maintenance of traditional drinking water sources.
- (xii) Collection of water samples from drinking water sources for testing.
- (xiii) Assisting authorities to regulate over exploitation of ground water.
- (xiv) Collection of user charges, where necessary.
- (xv) Maintenance of piped water supply schemes to the extent transferred to the Halqa Panchayats.
- (xvi) Provision and maintenance of water purification devices in schools, anganwadi centers and health institutions out of own resources.

3. Forest and Social Forestry-

- (i) Afforestation on waste land.
- (ii) Development of social forestry and farm forestry, disposal of social forestry produce.
- (iii) Growing trees for cattle feed, fire wood and fruits.
- (iv) Implementation of farm forestry.
- (v) Establishment of nurseries and their management.
- (vi) Management of minor forest produce excluding reserved forest, protected forest and wild life protected area.
- (vii) Planning and implementation of social forestry and farm forestry projects.
- (viii) Planting and preservation of trees on the road side and other public places under control of Halqa Panchayat.

- (ix) Protection of forest area from encroachments and reporting of any illegal activity to the concerned officer or official.
- (x) Identification of sites for the Compensatory Afforestation Fund Management and Planning Authority (CAMPA) or afforestation activities under different schemes/plans.
- (xi) Supervision and protection of wild life.
- (xii) Constitution of fire protection committees to assist Forest Department in extinguishing forest fires in coordination with the local people.

4. Tourism-

- (i) Identification and proposing development of tourist spots in the Halqa Panchayat area.
- (ii) Facilitation of tourism activities.
- (iii) Providing and maintenance of basic amenities at tourist centers entrusted to Halqa Panchayat.
- (iv) Collection of entry fees, parking fees other than at places maintained by Archaeological Survey of India or by other local authorities or Government Departments.

5. Public Works (Roads and Building Department)-

Planning and construction of works transferred to Halqa Panchayats.

6. Rural electrification, power and energy-

- (i) Installation and maintenance of streetlights at public streets and places.
- (ii) Planning, establishment, maintenance and promotion of small conventional and non-conventional energy units like solar, including roof top solar panel installation, biogas, wind mill and micro hydro-electricity plants with Halqa Panchayat funds.
- (iii) Sale of excess non-conventional energy to others.
- (iv) Identification of left out houses and new constructions for electrification.
- (v) Collection of user charges on behalf of Power Development Department on an incentive basis to be decided and notified and ensuring 100% metering in its area.

7. Disaster management-

- (i) Conducting survey to identify disaster prone localities.
- (ii) Creation and maintenance of disaster management facilities.
- (iii) Identification of local resources in the form of manpower and funds to meet the eventuality of disaster.
- (iv) Creation of disaster management committees at village level; identification and registration of civil defense personnel.
- (v) Identification of youth for disaster management training.
- (vi) Providing relief and compensation to victims of disasters with Halqa Panchayat's own resources and as per guidelines issued by the Government.

8. Libraries-

Creation, management and monitoring of Halqa Panchayat level libraries and reading rooms including providing of seating facilities, books and their computerisation through own resources.

9. Sports and Cultural Activities-

- (i) Establishment and maintenance of play fields inside schools and on village lands.
- (ii) Protection and reviving cultural activities at Halqa Panchayat level.
- (iii) Promotion of youth clubs.
- (iv) Assisting poor and indigent artists.
- (v) Maintenance of communal and religious harmony.
- (vi) Construction and management of cultural centers, community halls and open air theatres at Halqa Panchayat and cluster level.
- (vii) Organisation of youth festivals and sport events, art and culture events, plays and dramas at Halqa Panchayat and cluster level.
- (viii) Providing life skill education, leadership training and conducting recreational activities for youth.

10. Health and Family Welfare Department-

- (i) Forwarding of proposals and getting sanctions from competent authority for the establishment of dispensaries and health sub-centers at Halqa Panchayat level.

- (ii) No Objection Certificate for Licensing of eateries and entertainment establishments.
- (iii) Management of stray dogs, street dogs and stray cattle; identification of sites for management of animal pounds.
- (iv) Implementation of preventive and remedial measures against epidemics.
- (v) Monitoring of maternity and child welfare centers and ensure 100% vaccination of all children and pregnant ladies.
- (vi) Regulation of sale of meat, fish and other perishable food articles.
- (vii) Constitution of "Health and Family Welfare Advisory Committee" consisting of Panch of village, ward, opinion leaders, trained birth attendant, Male and Female Health Worker, Accredited Social Health Activist (Member Secretary), Government employees and honorarium paid-staff viz. school teacher, Anganwadi worker, etc, women Self Help Group and Community based organisation representatives, etc to oversee the functioning of each Health institution and improvement thereof and to ensure that the functionaries of the sub-centres are residing at the place of posting, and the committee shall be chaired by Sarpanch of the Halqa Panchayat in whose area the institution falls and the committee shall submit a Quarterly Accountability Report to the Block Development Council.
- (viii) The above committee shall also function as Village Health Sanitation and Nutrition Committee under National Health Mission and the funds allocated to the Village Health Sanitation and Nutrition Committee under National Health Mission shall be operated through a joint account held by Panchayati Raj Institution member and Accredited Social Health Activist as provided under National Health Mission guidelines.
- (ix) Registration of all pregnant ladies with the nearest health centre through Accredited Social Health Activist and ensuring that anti-natal and post-natal care and benefits under Janani Suraksha Yojana, Janani Shishu Suraksha Karyakram are extended to the mother and child.
- (x) Supervising and facilitating "School Health Checkup Programmes" under Rashtriya Bal Swasthya Karyakram or any other scheme and monitoring that all children recommended for next level of care avail of the same.
- (xi) Chlorination of wells and bowlies; cleaning of roads and drains; sanitation and restraint of stray dogs and cattle. [(As per the Prevention of Cruelty to Animals Act, 1960 (59 of 1960)].
- (xii) Reporting the outbreak of Gastroenteritis, malaria, dengue or any other epidemic or disease outbreak and starting measures for containment with the assistance of Health Committees.
- (xiii) Educating the community for adopting Family Planning methods, immunisation etc and organising camps thereof.
- (xiv) Reporting of births and deaths.
- (xv) Identify sub-centre for up-gradation to Health and wellness centers under Ayushman Bharat and monitoring of services provided by them.
- (xvi) Introduction of Participatory Rural Appraisal (PRA) for all Health Programmes and their proper implementation.
- (xvii) Field visit report to be submitted to Block Development Council on monthly basis.
- (xviii) Creating awareness about health programmes and healthy lifestyles.
- (xix) Support to mobilize beneficiaries for 100% Non Communicable Diseases screening.
- (xx) Review of utilisation of grants given to Village Health Sanitation and Nutrition Committees and Sub health Central level Ayushman Bharat and Wellness centres and extending additional financial support to maintain and upgrade the healthcare facilities in the Halqa Panchayat.
- (xxi) Support to create open spaces for physical activities, open gym, yoga, etc.
- (xxii) Making Halqa Panchayat tobacco/alcohol free.
- (xxiii) Planning and periodical review of the status of Implementation of Disease Control Programmes especially TB, Viral hepatitis and Leprosy.

11. Social Welfare Department-

- (i) Identification of beneficiaries and implementation of the Supplementary Nutrition Programme under the Integrated Child Development Scheme.
- (ii) Identification of sites for construction of Anganwadi centres.

- (iii) Supervision and management of Anganwadi centres to the extent transferred to Halqa Panchayat.
- (iv) Construction, repair and renovation of buildings for Anganwadi Centers to the extent transferred to Halqa Panchayat.
- (v) To coordinate with Mahila Mandals in smooth functioning of the Programme.
- (vi) Identification of beneficiaries under Pradhan Mantri Matritva Vandana Yojna (PMMVY) and Scheme for Adolescent Girls (SAG)
- (vii) Identification of beneficiaries under National Social Assistance Programme (NSAP) and Integrated Social Security Scheme (ISSS); verification of existing pensioners and weeding out of dead and non-eligible cases.
- (viii) To disburse all payments under NSAP and ISSS.
- (ix) Identification of beneficiaries for Bal Ashrams and Nari Niketans and other child care institutions.
- (x) Identification of children in need of care and protection under Integrated Child Protection Scheme through child welfare committees and District Child Protection units.
- (xi) Co-ordinate with Block Development Council in execution of schemes for the welfare of Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities, Disabled, Old aged , Destitutes, Widows and Children.
- (xii) Identify discriminatory practices against Scheduled Castes and Scheduled Tribes and report to Block Development Council, District Planning and Development Board and concerned authorities for action.
- (xiii) Identify the Scheduled Caste and the Schedule Tribe basties and suggest measures for their socio-economic upliftment.
- (xiv) Coordinate with Block Development Council and District Planning and Development Board in creating awareness among the people about the ill effects of drug abuse, female feticide and domestic violence and also implementation of all schemes including Poshan Abhiyan, Ladli Beti, One Stop Centre, Beti Bachao Beti Padhao or any other scheme introduced in future .
- (xv) Coordinate with Block Development Council and District Planning and Development Board in creating awareness among the people about laws enacted to prevent domestic violence against women.

12. Consumer Affairs and Public Distribution Department-

- (i) To act as grievance redressal agency and issue directives to Fair Price Shops and Government Sale Centres as and when required.
- (ii) To identify and recommend elimination of bogus ration cards and issue new ration cards.
- (iii) Supervise functioning of the Fair Price Shops and Government Sale Centres under the jurisdiction of the Halqa Panchayat.
- (iv) To assist Block Development Council in preparing plans of action to link Public Distribution System with Integrated Child Development Scheme, Mid-Day Meals Schemes, etc.
- (v) Identification of beneficiaries under different categories on yearly basis i.e. Antyodaya Anna Yojana, Priority Household, Non Priority Household and deletion.
- (vi) Recommend opening of new fare price shops and kerosene oil depots wherever required.

13. Rural Development Department-

(a) General Functions-

- (i) Cleaning and preservation of public roads, drains, bathing ghats, tanks, wells, ponds and other public places.
- (ii) Establishment and maintenance of burial and cremation grounds.
- (iii) Lay emphasis on natural resource management works, water conservation, watershed management, vermi- composting, etc.
- (iv) Construction and maintenance of cattle farm, community cattle sheds, pounds, village bus stand, rickshaw stand, taxi, auto stand, cart stand, slaughter houses and commercial complexes and collection of user fee for the purpose.

(b) MGNREGA-

- (i) Preparation of labour budget, shelf of projects and Annual Action Plan in coordination with Gram Sabha through regular Gram Sabha meetings and implement Mahatama Gandhi National Rural Employment Guarantee Act in the Halqa Panchayat strictly as per guidelines prescribed.
- (ii) Execution of works in accordance with the Annual Action Plan and District Convergence Plan approved by District Planning and Development Board (80% of the district plan to be devolved to Panchayats and 20% to the District Development Commissioner for Inter Panchayat works).
- (iii) Convening the Halqa Majlis (Gram Sabha) for social audit under the scheme and providing all information to the social audit team required for audit.
- (iv) Receiving applications for job cards and labour demand for work and issuing dated receipt against the same.
- (v) Issuance of job cards to the households within one month of application.
- (vi) Ensuring the applicants who demand labour get work within the statutory period of fifteen days and pay unemployment allowance from own funds in case of failure to do so.
- (vii) Ensuring preparation of Muster-sheet within fifteen days of start of work and preparation of fortnightly Muster sheets thereafter.
- (viii) Ensure wage payment to wage seekers within fifteen days of preparation of muster-sheets and pay delay compensation from own resources in case of failure to do so.
- (ix) Organisation of Gram Rozgar Diwas on the 1st of every month and Mahila Mazdoor Diwas on the 15th of every month.
- (x) Provision of work site facilities like drinking water, first aid and child care facilities in case of ten children or more being present on site, etc.
- (xi) Accord administrative approval for and make payments for the works under Mahatama Gandhi National Rural Employment Guarantee Act as per rules prescribed.
- (xii) Act as custodian of all panchayats related records and ensure maintenance of Panchayat Asset Register, case records for each individual work and Registers as prescribed under Mahatama Gandhi National Rural Employment Guarantee Act.
- (xiii) Maintenance of 60:40 (labour material ratio) at GP level under Mahatama Gandhi National Rural Employment Gurantee Act.
- (xiv) Awareness generation and social mobilisation under scheme.
- (xv) Registration of vendors for supply of key material viz. sand, stone and bajri at Gram Panchayat level.

(c) Rural Sanitation (SBM)-

- (i) Development of health and sanitation policy and its implementation.
- (ii) Planning and implementation of Halqa Panchayat level sanitation programme for households, public places and all local institutions and collection of user charges for the same where necessary.
- (iii) Sensitisation of community towards maintenance of sanitation and Solid, Liquid Waste Management (SLWM) and waste to energy.
- (iv) Identification of land and establishment of Solid Liquid Waste Management Unit in consultation with Union territory Technical Advisory Committee, District Water and Sanitation Committee and Block Level Committee.
- (v) Collection, segregation and transport of solid waste to multi village solid waste management plants.
- (vi) Construction and maintenance of individual, community toilets and bathrooms and sanitary complexes.
- (vii) Disposal of unclaimed corpses and carcasses, regulation of curing, tanning and dyeing of skins and hides.
- (viii) Survey of quantity and type of waste generation and assessment of demand for establishment of Solid Liquid Waste Management Unit.
- (ix) Sensitisation and policy planning about menstrual health; implementation and construction of pink toilets; regular refilling and operation and maintenance of vending machines and incinerators in pink toilets.

(d) Pradhan Mantri Awas Yojana (PMAY)-

- (i) Verification of PMAY Socio Economic Caste Census lists through Halqa Majlis (Gram Sabhas) and set priorities for grant of houses.
- (ii) Identification and uploading of non-Socio Economic Caste Census beneficiaries into Awaas plus software.
- (iii) Prepare special lists for disaster affected families within the Socio Economic Caste Census list.
- (iv) Identification of persons for mason training and ensure conduct of mason trainings as per guidelines.
- (v) Ensure timely sanction of houses and disbursal of installments to the beneficiaries and all beneficiary funds under PMAY shall be devolved to the Halqa Panchayats
- (vi) It shall be responsibility of the Panchayats to ensure completion of houses within nine months of disbursal of first installment.

(e) IWMP-

- (i) Identification of water shed areas, ponds, barren lands, etc for development under Integrated Watershed Management Programme.
- (ii) Creation of Water Shed Development Committees in the project area through Halqa Majlis (Gram Sabha).
- (iii) Identification of works to be taken up under Water Shed Project Area.
- (iv) Execution of works at the Panchayat level through Water Shed Development Committees.

14. Education Department-

- (i) Ensure 100% enrolment of school age children in Primary Schools and ensure transition of students from one class to another without drop-out incidence.
- (ii) Oversee the utilisation of School Maintenance Grant (SMG), Teaching Learning Material (TLM) and Teacher Learning Equipments (TLE) as per norms in Primary Schools.
- (iii) Oversee and monitor the distribution of study material, uniform and scholarships to the target group students in Primary Schools.
- (iv) Preparation and distribution of Mid-Day-Meal in Primary Schools through local Self-Help Groups (SHGs), Non-Governmental Organisations and Community Level organisations for which the funds shall be transferred to Panchayats and the Halqa Panchayat shall also ensure weekly quality check of the Mid-Day-Meal through designated agencies and take immediate action, if any, adverse reports are received.
- (v) Ensure regular meetings of the Village Education Committees and School Management Committees at Primary School level and report on their functioning.
- (vi) Assess and plan requirement of drinking water and toilet facilities in Primary Schools and ensure it is met.
- (vii) Monitor regular attendance of Primary School and Middle School teachers, non-teaching staff and students and report to ZEO, CEO and DDC.
- (viii) Construction of Primary and Middle Schools to the extent transferred to Halqa Panchayat.
- (ix) Planning, establishment and management of hostels for backward classes and groups, girls, specially abled, minority groups and orphans at Primary School level through NGOs, SHGs and community level organisations.

15. Revenue Department-

- (i) To assist the Local Administration in periodic updating of land records relating to actual status of village common lands, waste land, Kacharai land, water ways, roads and embankments and to assist in encroachment removal.
- (ii) Ensure that the Patwari pastes his monthly working chart on the notice board of Patwar Khana and Panchayat Ghars indicating the working days he will visit the Panchayat Halqa areas.
- (iii) The concerned Halqa Panchayats will ensure that all eligible Kisans are issued Kisan Pass Books as required under the Jammu and Kashmir Land Revenue Act and that the same are updated regularly by the concerned Revenue Field Functionaries.
- (iv) To act as a grievance redressal mechanism in case of any difficulty being faced by the land owners in getting the extracts of revenue records and refer the matter to the concerned Tehsildar or Sub-Divisional Magistrate or District Collector directing the concerned Patwari to the issue the revenue records through, Panchayat, as early as practicable.

- (v) Providing necessary assistance to the Administration in providing relief to the effected families and persons in case of disaster.
- (vi) To report regarding wrong entries in revenue records, malpractices, tampering of records and land conversion to the Tehsildar, SDM or District Collector or higher authorities, as the case may be
- (vii) Assisting the local administration and revenue functionaries in periodic updating of land records viz-a-viz changes in the situation on ground through the conduct of the annual girdawari, preparation of jamabandi and all other revenue documents.
- (viii) Identification of landless families for allotment of land under any prevalent scheme.

16. Issue of Certificates-

- (i) Issue of No Objection Certificate for Geology and Mining Department activities, electrification, biodiversity, land conversion, licenses for home stay, resorts, bar and restaurants, hotels, liquor shops, burial and cremation grounds, crematoriums, slaughter houses, etc.
- (ii) Issuance of birth, death, character, dependent, marriage certificates and ration cards in accordance with procedure as notified by the Government from time to time.

17. Statistics and Planning-

- (i) Collection, tabulation and updating of all statistics relating to the village.
- (ii) Setting up of teams and committees for preparation of perspective plans and Annual Plans in accordance with statistics collected.

18. Co-operation -

Preparation and implementation of programmes to popularise and strengthen cooperative activities.

19. Rural Environment and Ecology-

- (i) Planning and implementation for protection and preservation of rural environment and ecology in conformity with National and Union territory policy.
- (ii) Establishment of Gram Panchayat biodiversity management committee.
- (iii) Preparation of Peoples Biodiversity Register.
- (iv) Preparation and implementation of plans and programmes for the Biodiversity Act, 2002.
- (v) Protection of ecologically sensitive areas.
- (vi) Preparation and implementation of plans for the protection of environment.
- (vii) Maintenance of parks and regulation of manure pits in public places.

20. Knowledge Management-

- (i) Collection and compilation of household data and maintaining database.
- (ii) Recording of the history, culture and heritage of the village.
- (iii) Conducting surveys and studies to determine the human development of the village.
- (iv) Periodical calculation of human development index.
- (v) Making available all data to the people of Halqa Panchayat.
- (vi) Awareness generation and Information, Education and Communication activities for all Government schemes.

21 . Community Asset Management-

- (i) Protection, conservation and management of community assets within the Halqa Panchayat area, their mapping, measurement, comprehensive documentation and maintenance.
- (ii) Systematic documentation and protection of records of all assets such as ponds, water grooves, canals, agriculture pits, wells, bore-wells and other wells, pastures, forests, plantations, etc.

SCHEDULE 1-B

(See section 26)

1. As per the provisions of this Act, Halqa Panchayat shall have the powers to carry out various duties and functions for the Socio-Economic Development and Social Justice of the area, and for this Halqa Panchayat requires staff for providing necessary help and guidance in carrying out the duties imposed on it by this Act.
2. Every Halqa Panchayat shall have a Member Secretary who shall be an employee of the Rural Development and Panchayati Raj Department (to be specified by the Department).

3. The employees of the Departments contained in the Schedule I-A associated with the implementation of the various schemes at Halqa Panchayat level shall be the staff of Halqa Panchayat for helping them in carrying out various functions as per the Schedule I-A which shall include Junior Agriculture Extension Officer, Rehbar-e-Zerat, Veterinary Pharmacist, Stock Assistant, Flock Supervisor, Stock Assistant, Extension Officer (Fisheries), Teacher, Rehbar-e-Taleem, Horticulture Technician, Junior Engineers, Supervisors of Engineering Departments and Pharmacists in sub-centre, Dispensaries, Asha Worker, Auxiliary Nurse Midwifery and Female Multipurpose Health Worker (FMPHW).
4. The dedicated staff engaged for the subject contained in the Schedule I-A under Centrally and Union territory Sponsored Schemes shall also be the staff of Halqa Panchayat:

Provided that the pay, dues and other allowances of the permanent staff shall be drawn and disbursed by the respective Department as per the procedure in vogue, and the Honorarium of the dedicated staff shall be drawn and disbursed by the Departments as per the procedure laid down in the guidelines by the respective Departments:

Provided further that the salary or honorarium (as applicable) of Village Level Worker, Auxiliary Nurse Midwife (ANM), Female Multipurpose Health Worker (FMPHW) Accountant-cum-Data Entry Operator, Aganwadi Worker, Helper and Asha Worker, shall be drawn by the Halqa Panchayat as per the prescribed procedure.
5. Halqa Panchayats may engage staff at its level only after formal sanction from the Government for such engagement.

SCHEDULE I-C

(See section 14)

1. Every Halqa Panchayat shall have a fund, to be called, the Halqa Panchayat Fund which shall be operated by the Secretary Panchayat and Sarpanch as per the procedure to be notified by the Department of Rural Development and Panchayati Raj.
2. As per the provisions of this Act, rules made thereunder and the Government directions issued from time to time, the Halqa Panchayat shall have the power to operate the fund strictly as per the procedure to be notified by the Government which shall include-
 - (i) funds related to the subjects contained in the Schedule I-A, including funds under centrally sponsored flagship schemes as transferred to the Halqa Panchayats by respective Administrative Departments;
 - (ii) grants of Union territory and Central Finance Commission;
 - (iii) outlays transferred to the Halqa Panchayat by the Government from time to time;
 - (iv) untied grants made available to the Halqa Panchayat by the Government to meet out the exigency of development works of Panchayat Halqas;
 - (v) own resources generated through building permission fee, annual charges and fee levied under section 15 and fee for the certificates issued, user charges collected, incentives and other sources;
 - (vi) the salary or honorarium (as applicable) of Village Level Worker, Auxiliary Nurse Midwife (ANM), Female Multipurpose Health Worker (FMPHW), Accountant-cum-Data Entry Operator, Aganwadi Worker or Helper and Asha Worker;
 - (vii) 80% funds under Annual Action Plan for Mahatama Gandhi National Rural Employment Guarantee Act.
 - (viii) 100% funds under PMAY (construction component only), Integrated Watershed Management Plan (works component only), Mid-day Meal, Integrated Child Development Scheme (Nutrition component only), National Social Assistance Plan and Integrated Social Security Scheme.
3. The Halqa Panchayats shall strictly follow the financial rules, instructions and guidelines issued by the Central and Union territory Government while utilizing the funds under different programmes.
4. Halqa Panchayats shall prepare a statement of annual accounts to be audited in the prescribed manner.
5. The guidelines prescribed by the Central Government or Union Territory Government shall be strictly adhered to while incurring expenditure on a scheme funded by Central Government or Union territory Government, as the case may be.

Schedule II-A**(See section 31)**

- I It shall be the duty of the Block Development Council to meet the requirements of area in respect of the matters contained in this Schedule and also prepare plan of activity in respect of inter Halqa Panchayat areas and matters subject to the availability of funds under the various schemes.
- II Subject to the other provisions of this Act and directions and guidelines issued by the Government from time to time, the Block Development Council shall administer the matters contained in this Schedule and prepare plans and implement the schemes on the subjects specified herein for the economic development and social justice purpose.
- III The Block Development Council shall perform its functions strictly as per the guidelines for estimation of the projects as well as expenditure sanction issued by the Government.

(A). General Functions-

- (i) Preparation of Annual Plans in respect of the schemes entrusted to it by virtue of this Act and those assigned to it by the Government or District Planning and Development Board and their submission to the District Planning and Development Board within a prescribed time for integration with district plan.
- (ii) Consideration and consolidation of the Annual Plans of all the Halqa Panchayats in the Block and submission of the consolidated plans to District Planning and Development Board within a prescribed time for integration with District Plans.
- (iii) Preparation of the Annual Budget of the Block Development Council and its submission to the District Planning and Development Board.
- (iv) Assisting the administration in distribution of relief and compensation during the natural calamities and disaster.
- (v) Performing such functions and executing such works as may be entrusted to it by the Government or the District Planning and Development Board.
- (vi) Construction and upkeep of block level Government facilities as transferred.

(B) Specific Functions-**1. Agriculture, Animal, Sheep, Fisheries and Horticulture Department:-**

- (i) Prepare agriculture plan in consultation with the field functionaries of the Agriculture Production Department, at Block level for submission to the District Planning and Development Board for approval.
- (ii) Consolidate demand received from Halqa Panchayats and submit to the District Planning and Development Board.
- (iii) Monitoring of agriculture extension activities.
- (iv) Monitoring of ongoing schemes under technical guidance of Departmental staff.
- (v) To ensure close surveillance of spread of diseases and timely liaison with the District Planning and Development Board or State Headquarter for control measures.
- (vi) Facilitating and supervising general and technical training at the Gram Panchayat level for preparation of comprehensive agricultural and horticultural plans.
- (vii) Maintenance of agriculture seed farms including Horticulture Nurseries.
- (viii) Conducting exhibitions of vegetable, fruits and other crops through Kisan Melas.
- (ix) Providing technical support to Gram Panchayats through technical personnel and trainings to increase the income from improved methods of cultivation and training of farmers.
- (x) Consolidation of data collected by Gram Panchayats and preparation of block level plans for agriculture and horticulture production.
- (xi) Monitoring the distribution of insecticides, pesticides and other inputs.
- (xii) Co-ordination in respect of policy planning of animal and sheep husbandry programmes at Block level.
- (xiii) To recommend holding of animal sterility and health camps.
- (xiv) To conduct exhibitions, livestock shows, animal fairs, milk yield competitions and calf rallies.
- (xv) Providing vaccines, medicines, medical aid to Gram Panchayat to take preventive measures to control epidemics and contagious diseases in animals.
- (xvi) Recommend measures for improvement of breed of Cattle, Poultry and other live stock.

- (xvii) Encourage promotion of cooperative societies for activities of Animal Husbandry, Dairies, Fisheries, marketing of agricultural, horticulture produce, etc.
- (xviii) Collection of demand and distribution of seedlings to the fish farmers through Halqa Panchayats with technical support of officials of the Fisheries Department.
- (xix) Monitoring and reviewing of all functions and activities entrusted to Halqa Panchayats.
- (xx) Coordinating with the Agriculture and Horticulture Department in assessing the demand and organising inputs, wherever made available by the department.
- (xxi) Coordinating with the Agriculture and Horticulture Department in organising farmers training camps, study tours, seminars, etc.
- (xxii) Organising of demonstrations on improved varieties and technology through the Departments.
- (xxiii) Ensuring conduct of Village-wise horticultural, agriculture ,animal and sheep census.
- (xxiv) Preparation of Action Plan for each inter panchayat water-shed through the concerned Department.

2. Consumer Affairs and Public Distribution Department-

- (i) Monitoring of the public distribution system including movement and availability of commodities.
- (ii) To take steps for identification and elimination of bogus ration cards.
- (iii) To co-ordinate in the establishment of linkage of Public Distribution System schemes with other welfare schemes.
- (iv) To send periodical reports and returns about Public Distribution System to the District Planning and Development Board.
- (v) Dissemination of information and to create awareness about Consumer Protection and Welfare schemes

3. Education Department-

- (i) To assess the drop-out position and initiate appropriate action to reduce it.
- (ii) Oversee the utilisation of School Maintenance Grants (SMG), Teaching Learning Material (TLM) and Teaching Learning Equipments (TLE) as per norms in Middle Schools.
- (iii) Assist in identification and enrolment of students for Government Middle Schools.
- (iv) Oversee distribution of study material, uniforms and scholarship to the target group students in Middle Schools.
- (v) Preparation and distribution of Mid Day Meal in Middle Schools through local Self Help Groups, Non-Governmental Organisations and Community level Committees for which the funds shall be transferred to Block Development Council and Block Development Council shall also ensure weekly quality checks of the Mid Day meals through designated agencies and take immediate action, if any, adverse reports are received.
- (vi) Oversee and report on the functioning of Village Education Committee (VECs) and School Management Committees (SMCs) at Middle School level.
- (vii) Assess and Plan requirement of drinking water and toilet facilities in Middle Schools and ensure that it is met.
- (viii) Promotion of adult literacy and planning and monitoring both conventional and non-conventional education at Block level.
- (ix) Coordinating Centrally and Union territory sponsored Programs relating to Education.
- (x) Construction and maintenance of Middle School Buildings as transferred by the Government.
- (xi) Promotion of social education through youth clubs and MahilaMandals.
- (xii) Planning, establishment, management of hostels at middle school level for backward classes and groups, girls, specially abled, minority groups and orphans.

4. Forest Department-

- (i) Preparation of action plans for afforestation in respect of lands identified by the Halqa Panchayats in consultation with concerned Range Officers and this will also include nursery raising.
- (ii) Monitor execution of micro plans through Halqa Panchayat as per approved physical and financial targets.

- (iii) Submission of periodical consolidated accounts and reports to District Planning and Development Board.
- (iv) Monitor cases of over exploitation and submit recommendations to Forest Department for its regulation.
- (v) Supervision of soil conservation works of Forest Department.
- (vi) Supervision of afforestation, plantation and nursery works within their area.
- (vii) Supervise the protection of wildlife and assist Wildlife Department in addressing Man-Animal conflict.
- (viii) Produce and distribute saplings and seedlings to Gram Panchayat when required from Block Level Nurseries for promotion of farm forestry.
- (ix) Conducting trainings and workshops for providing technical knowledge to Gram Panchayat in the field of fodder development and fuel plantation.
- (x) Planting and maintenance of trees on the sides of roads and other public lands under its control.

5. Health and Family Welfare Department-

- (i) Constitution of Health and Family Welfare Advisory Committees for Community Health Centers.
- (ii) To create awareness among the masses about the National Health Programmes by way of organising health and family camps, exhibitions and melas.
- (iii) Construction and maintenance of Community Health Centers, staff quarters and other health facilities as transferred by the Government.
- (iv) To take all effective measures with the assistance of the health functionaries to control epidemics in the Block Development Council areas.
- (v) Promotion of immunisation and vaccination programmes and ensure that 100% children and pregnant woman are immunised.
- (vi) Establishment of a system and mechanism for continuous support to Gram Panchayat to manage health services and sanitation programmes.
- (vii) Setting up and managing facilities and centers for specially abled and mentally challenged people.
- (viii) Planning and implementation of family welfare programmes at Block Development Council level.
- (ix) Ensuring that all constructions, office and procedures within the Block are specially-abled friendly.
- (x) Review of Utilisation of grants given to Primary Health Centre level, Ayushman Bharat Health and Wellness Centres and extending additional financial support to maintain and upgrade the healthcare facilities in Halqa Panchayat.
- (xi) Support to create open spaces for physical activities, open gym, yoga, etc.
- (xii) Making Block Development Council are tobacco/alcohol free.
- (xiii) Planning and periodical review of the status of Implementation of Disease Control Programmes especially TB, Viral hepatitis and Leprosy and Malaria.

6. Industries and Commerce Department-

- (i) Assistance in the recovery of loans by Banks, Government Institutions and Departments.
- (ii) Provide information with regard to availability of skills in the area and future demand.
- (iii) Identify the locations and target groups in their respective area of operation where there is a potential of conducting Industrial Awareness Programmes, Entrepreneurship Development Programmes and awareness camps for artisans, weavers, craft persons, etc.
- (iv) Assist in the identification of beneficiaries under Prime Minister Employment Gurantee Programme and Jammu and Kashmir Employment Gurantee Programme.
- (v) Identify land for establishing Industrial Areas and Estates within their jurisdiction and submit the proposal to District Planning and Development Board for consideration.
- (vi) Organisation of conferences, seminars, training programmes and agricultural and industrial exhibitions.
- (vii) Establishment of mini industrial estates.
- (viii) Formation and implementation of self-employment schemes.

- (ix) Creation of input services and common facility centres for Gram Panchayat Clusters or for group of Gram Panchayats.
- (x) Providing financial support to cluster level common facility centers.

7. Public Works Department-

- (i) Monitoring of constructions by Halqa Panchayats and other agencies.
- (ii) Identification of inter-panchayat link roads and their inclusion in the Block Development Council Plan.
- (iii) Maintenance of such rural roads which may be transferred by Public Works Department to Block Development Council.
- (iv) To keep vigil and bring to the notice of concerned authority of the Public Works Department the cases of gross mis-utilisation of funds, corrupt practices, etc., by the staff of the Department, contractors and sub-contractors while executing various schemes and the encroachments on the roads and other structures.
- (v) Maintenance of any building or other property vested in Block Development Council.
- (vi) Identifying black spots (frequent accident sites) and recommend remedial measures to the District Planning and Development Board.

8. Public Health Engineering and Irrigation and Flood Control Department-

- (i) Identification of potential schemes including water harvesting covering more than one Halqa Panchayat within the jurisdiction of the Block Development Council.
- (ii) To take measures for prevention and control of water pollution.
- (iii) To keep vigil and bring to the notice of concerned authorities of all Departments the cases of gross mis-utilisation of funds, corrupt practices, etc. by the staff of the Departments, contractors and sub-contractors while executing various schemes.
- (iv) Prevention and control of water pollution.
- (v) Implementation of community and individual irrigation works.

9. Revenue Department-

- (i) To help revenue officials in identification of landless and houseless families and persons for formulation of a policy regarding utilisation of waste and vacant Union territory land, identification thereof, which is, however, not required for any other public purpose at Block level.
- (ii) Supervise the work entrusted in revenue matters to Panchayats and formulation of policy at the Block level for removal of encroachments on Union territory, Kahcharai, water bodies and common land.
- (iii) Assistance to the legal machinery in conduct of legal proceedings (e.g. publication of notices in the entire area, identification of vacant Union territory land in different Halqa Panchayats areas, etc.)
- (iv) To report regarding wrong entries in revenue record, malpractices, tampering of records and land conversion to the Tehsildar, SDM and Deputy Commissioner or higher authorities, as the case may be.
- (v) Assisting the local administration and revenue functionaries in periodic updating of land records viz-a-viz changes in the situation on ground through the conduct of the annual girdawari, preparation of jamabandi and all other revenue documents.

10. Social Welfare Department-

- (i) Guide and assist the staff of the Departments in implementing the various schemes in the Block Development Council area as per the guidelines of the schemes.
- (ii) Assist in providing logistic support to facilitate smooth implementation of the programmes.
- (iii) Coordinate with the District Planning and Development Board and Panchayats in implementation of schemes for the welfare of Disabled , Old Aged , Destitutes, Widows , Children , Minorities, SCs, STs and OBCs.
- (iv) Coordinate with District Planning and Development Board in creating awareness among the people against social evils of drug abuse, female feticide and domestic violence and also in implementation of all schemes like Beti Bachao Beti Padhao and Ladli Beti, One Stop Centre, Pradhan Mantri Matritva Vandana Yojana, etc.
- (v) Organise camps for creating awareness among the women about the laws enacted to prevent domestic violence against women and promotion, implementation and monitoring of

programmes in relation to development and empowerment of women and children at Block level.

- (vi) Planning and management of hostels for the Schedule Castes, Schedule Tribes and backward communities, Bal Ashrams, Blind homes, Nari Niketan, One stop homes, juvenile justice homes and other such social justice institutions through Self Help Groups, Non-Governmental Organisations and Community level Organisations.
- (vii) To prevent, through awareness campaigns, social and cultural practices against the Scheduled Tribes, Scheduled Castes and backward communities which undermine freedom and dignity of individual and community.
- (viii) Monitoring old age, widow pension and pension for handicapped and disabled and scholarships by the Halqa Panchayats.

11. Tourism Department-

- (i) Identification and proposing development in inter Halqa Panchayats tourist spots in Block Development Council area.
- (ii) Promotion of tourism activities in Block Development Council.
- (iii) Providing basic amenities at tourist centers under the jurisdiction of Block Development Council.
- (iv) Development and maintenance of tourist attraction destinations under the ambit of Block Development Council to the extent of transferred to the Block Development Council.

12. Disaster Management-

- (i) Creation and maintenance of disaster management facilities at Block Development Council level.
- (ii) Creation of disaster management committees at Block level and identification and registration of civil defence committees.
- (iii) Identification of youth for disaster management training at Block level.
- (iv) Assisting district administration and Halqa Panchayat in providing relief and compensation to the victims of disasters.
- (v) Conduct of mitigation programmes with regard to disasters.

13. Libraries-

- (i) Creation, management and monitoring of libraries and reading rooms including providing of seating facilities, books, etc. at Block level.

14. Sports and Cultural Activities-

- (i) Organisation of art and culture programmes at inter-panchayat level.
- (ii) Promotion of youth clubs at Block level.
- (iii) Maintenance of communal and religious harmony.
- (iv) Construction and management of cultural centres, community halls and open air theatres at Block level for organising different inter-panchayat functions.
- (v) Organisation of youth festivals and other events at inter panchayat level.
- (vi) Providing of life skill education and leadership training and conducting recreational activities for youth at inter-panchayat level.

15. Rural Development Department-

- (i) Consolidation of Annual Action Plans of Halqa Panchayat under different schemes to the extent transferred as per the Schedule I-A and monitor and supervise the implementation of various programmes at the Halqa Panchayat level.
- (ii) Preparing and implementing of Inter-Panchayat Plans under different schemes to the extent transferred by the Government as per Schedule II-A.
- (iii) Monitor the distribution of job cards to the eligible households under Mahatama Gandhi National Rural Employment Guarantee Act.
- (iv) Monitoring and evaluation of all poverty alleviation programmes and coverage of women, Scheduled Castes, Scheduled Tribes and other beneficiaries through different programmes.
- (v) Organising the auction of the produce from the community assets to the extent powers are transferred by the Government as per the rules made therefor.
- (vi) Development and maintenance places for fairs, mandies and other events.

- (vii) Supervision and monitoring of rural sanitation programmes and their execution by the Halqa Panchayats.
- (viii) Prevention of misuse of community assets of the Block Development Council.
- (ix) Organise training and awareness camps for different schemes and programmes.
- (x) Monitor the use of community assets created under various Rural Development Schemes.
- (xi) Establishment and maintenance of solid and liquid waste management projects.
- (xii) Provide technical support to the Gram Panchayat.

16. Other Functions-

- (i) Facilitate promotion of Block level cooperative societies.
- (ii) Providing technical support to Gram Panchayats for the protection of environment and ecology.
- (iii) Collection and compilation of Block data and maintaining data base.
- (iv) Recording of the history, culture and heritage of the Block.
- (v) Conducting surveys and studies to determine the human development of the block.
- (vi) Periodical calculation of human development index.
- (vii) Making available all data to the people.
- (viii) Awareness generation and information, education and communication activities for all Government schemes.
- (ix) Maintaining all community assets vested in the Block as are transferred by the Government or any local authority or organisation.
- (x) Preservation and maintenance of community assets.

SCHEDULE II-B

(See section 31)

1. As per the provisions of this Act, the Block Development Council shall have the powers to carry out various duties and functions for the Socio Economic Development and Social Justice of the area and for this, the Block Development Council requires staff for providing necessary help and guidance in carrying out the duties imposed on it by this Act.
2. Every Block Development Council shall have a Member Secretary who shall be the Block Development Officer of the Rural Development and Panchayati Raj Department as contained in sub-section (3) of section 28 and the office of the Block Development officer shall function as the Block Development Council Secretariat.
3. The Block Level Officers of the Departments contained in the Schedule II-A associated with the implementation of the various schemes at Block level and providing technical guidance to the Halqa Panchayat for carrying out various duties shall be the staff of Block Development Council for helping them in carrying out various functions as per the schedule II-A including and not limited to Sub-Divisional Agriculture Officer, Live Stock Development Officer, Sheep Development Officer, Block Veterinary Officer, Tehsil Supply Officer, Inspector Legal Meteorology, Zonal Education Officer, Zonal Planning Officer, Head Masters or Head Mistresses of Middle Schools, Field Supervisor of Fisheries Department, Range officer, Horticulture Development Officer, Block Medical Officer, ANM, Medical superintendent, Female and Male Multipurpose workers of Community Health Centres, Assistant Handicraft Training Officer and Instructor of Industries and Commerce Department, Assistant Executive Engineers and Assistant Engineers of all Engineering Departments.
4. Dedicated staff engaged for the subject contained in the Schedule II-A under Centrally and Union territory Sponsored schemes functioning at Block level shall also be the staff of the Block Development Council:

Provided that the pay, dues and other allowances of the permanent staff shall be drawn and disbursed by the respective Department as per the procedure in vogue and the Honorarium of the dedicated staff shall be drawn and disbursed by the Departments as per the procedure laid down in the guidelines by the respective Departments.

5. Block Development Council may engage staff at its level only after formal sanction from the Government for such engagement.

SCHEDULE II-C**(See section 34)**

1. Every Block Development Council shall have a "Block Development Council Fund" which shall be operated by the Secretary Block Development Council (Block Development Officer) and Chairperson of the Block Development Council as per the procedure to be notified by the Government.
2. As per the provisions of this Act, the Block Development Council shall have the power to operate upon the "Block Development Council Fund" comprising of grants made by the Government under different schemes keeping in view the number of Halqa Panchayats in the Block and the funds assigned by the Government or the District Planning and Development Board.
3. The funds related to the subjects contained in the schedule II-A including funds under centrally sponsored flagship schemes transferred to the Block Development Council by respective Administrative Departments as per the procedure to be notified by the Government excluding funds transferred to Halqa Panchayats and the Block Development Council shall follow the financial rules, instructions and guidelines issued by the Central Government and Union territory Government while utilising the funds under different programmes.
4. Block Development Councils shall prepare a statement of annual accounts to be audited in the prescribed manner.
5. The guidelines prescribed by the Central Government or Union territory Government shall be strictly adhered to while incurring expenditure on a scheme funded by Central Government or State Government, as the case may be."

SCHEDULE III**(See Section 46)**

- I. It shall be the duty of the District Development Council to meet the requirements of area in respect of the matters contained in this Schedule and also prepare plan of activity in respect of inter Block panchayat areas/matters subject to availability of funds under various schemes.
- II. Subject to the other provisions of this Act and directions/guidelines issues by the Government from time to time, the District Development Council shall administer the matters contained in this Schedule and prepare plans and implement the schemes on the subjects specified herein for the economic development and social justice within the area of its authority.
- III. The District Development Council shall perform its functions strictly as per the guidelines for estimation of the projects, expenditure sanction and implementation framework issued by the Government.
- IV. Notwithstanding anything contained in this Act, the Government may, by general or special order, entrust to the District Development Council, preparation of plans and implementation of schemes for economic development and social justice.
- V. The Government may, by general or special order, add to any of the functions of District Development Council or withdraw the functions and duties entrusted to such a District Development Council, when the Union Territory Government undertakes the execution of any of the functions entrusted to the Council, and the District Development Council shall not be responsible for such functions so long as the Union territory Government does not re-entrust such functions to it.
- VI. General Functions-**
 1. Promotion of measures to increase agricultural and horticulture production and to popularise the use of improved agricultural implements and the adoption of improved agricultural and horticulture practices, opening and maintenance of agricultural and horticultural farms and commercial farms, establishment and maintenance of godowns, conducting agricultural and horticultural fairs and exhibitions, management of agricultural and horticultural extension and training centres and training of farmers, planning and implementation of land improvement and Soil Conservation programmes entrusted by the Government.
 2. Establishment and maintenance of veterinary hospitals, first-aid centres and mobile veterinary dispensaries, improvement of breed of cattle, poultry and other livestock, promotion of dairy farming, poultry and prevention of epidemics and contagious diseases.
 3. Development of fisheries in irrigation works vested in the District Development Council, promotion of inland, brackish water and marine fish culture and implementation of fishermen's welfare programmes.
 4. Construction, renovation and maintenance of minor irrigation works, providing for the timely and equitable distribution and full use of water under irrigation schemes under the control of the District Development Council, watershed development programmes and development of ground water resources.

5. Promotion of rural and cottage industries, establishment and management of training-cum-production centres, organisation of marketing facilities for products of cottage and village industries and implementation of schemes of Union territory Boards and All India Boards and Commissions for development of rural and cottage industries and promotion of small-scale industries, promotion of rural housing programme, and promotion of drinking water and rural sanitation programmes, promotion of social and farm forestry, fuel plantation and fodder development, management of minor forest produce of the forest raised in community lands and development of wasteland.
6. Construction and maintenance of district roads and culverts, causeways and bridges (excluding Union territory Highways and village roads) and construction of administrative and other buildings in connection with the requirements of the District Development Council, promotion and development of non-conventional energy sources, planning, supervision and monitoring the implementation of poverty alleviation programmes.
7. Promotion of educational activities in the district including the establishment and maintenance of primary and secondary schools, establishment and maintenance of orphanages and survey and evaluation of educational activities.
8. Establishment and maintenance of rural artisan and vocational training centres, encouraging and assisting rural vocational training centres, planning and implementation of programmes of adult literacy, skill development and non-formal educational programmes.
9. Management of hospitals and dispensaries excluding those under the management of the Government or any other local authority, implementation of maternity and child health programmes, implementation of family welfare programmes and implementation of immunisation and vaccination programme, promotion of programmes relating to development of women and children, promotion of school health and nutrition programmes and promotion of participation of voluntary organisations in women and child development programmes.
10. Promotion of social welfare programmes, including welfare of the handicapped, mentally retarded and destitute, promotion of educational, economic, social, cultural and other interests of the Scheduled Castes, Scheduled Tribes and Backward Classes, protecting such castes, tribes and classes from social injustice and all forms of exploitation, establishment and management of hostels of such castes, tribes and classes and supervision and management of hostels in the district, distribution of grants, loans and subsidies to individuals and other scheme for the welfare of Schedule Castes, Scheduled Tribes and Backward Classes.
11. Promotion of tourism activity, development and maintenance of tourist destinations and providing basic amenities at the tourist centres, organisation of art and culture programmes, promotion of youth clubs, organisation of youth/culture/sports festivals, maintenance of communal and religious harmony, organise trainings and awareness programmes, monitoring the implementation of various Rural Development Schemes and maintenance of assets created thereunder.
12. Creation and maintenance of disaster management facilities, conduct of disaster mitigation programmes, creation of disaster management committees and assisting District Administration in providing relief and compensation to victims of disaster.
13. Monitoring the public distribution system including movement and availability of commodities, distribution of grants, loans and subsidies to individuals and other scheme for the welfare of Scheduled Castes, Scheduled Tribes and Backward Classes, to take steps for identification and elimination of bogus ration cards, to coordinate in the establishment of linkage of Public Distribution System to the District Planning Committee, disseminate information and create awareness about Consumer Protection and Welfare schemes.
14. Maintenance of community assets vested in it or transferred to it by the Government or any local authorities or organisation, assisting the Government in the preservation and maintenance of other community assets, promotion of social and cultural activities, public distribution system, rural electrification, promotion of co-operative activities, promotion of libraries, conduct of social audit and such other functions as may be entrusted.
15. Cleaning and preservation of public roads, drains, bathing ghats, tanks, wells, ponds and other public places, lay emphasis on natural resource management works, water conservation, watershed management, vermi-composting, etc.
16. Collection tabulation, updating of all statistics relating to the district, setting up of teams/committees for preparation of perspective plans and Annual Plans in accordance with statistics collected, collection and compilation of household data and maintaining database, recording of the history, culture, heritage of the district, periodical calculation of human development index and awareness generation and Information, Education and Communication activities for all Government schemes.

17. Planning and implementation for protection and preservation of rural environment and ecology in conformity with National and State Policy, establishment of District biodiversity management committee, preparation of Peoples' Biodiversity Register, preparation and implementation of plans and programmes for the Biodiversity Act 2002, protection of ecologically sensitive areas and preparation and implementation of plans for the protection of environment.
18. To help revenue officials in identification of landless/houseless families/persons for formulation of a policy regarding utilisation of Waste/vacant State land, identification thereof, which is however, not required for any other public purpose at block level, supervise the work entrusted in revenue matters to Panchayats and Block Development Councils formulation of policy for removal of encroachments on State/Kahcharai/Water bodies/common land, assistance to the legal machinery in conduct of legal proceedings (e.g. publication of notices in the entire area, identification of vacant State land in different Halqa Panchayats areas etc.) and to report regarding wrong entries in revenue record, malpractices, tampering of records, land conversion to the Tehsildar/SDM/Deputy Commissioner or higher authorities, as the case may be.
19. The Government may assign to District Development Council, functions in relation to any matters to which the executive authority of the Government extends or in respect of the functions that have been assigned to it by the Central Government, and the Government may, by notification, withdraw or modify the functions assigned under this section.

VII. Preparation of Development Plans by District Development Council-

1. The panchayat at each level shall prepare every year a development plan for the next year in respect of the functions vested in it, for the respective panchayat area in the form and manner prescribed and it shall be submitted to the Block Development Council before the date prescribed which shall be called the Gram Panchayat Development Plan.
2. The planning process shall be initiated by the Panchayats on the 2nd of October every year and end on the 31st of December.
3. The village Panchayat shall prepare the development plan having regard to the plan proposals submitted to it by the Halqa Majlis who in turn shall prepare the plans in accordance with the plans formulated by the Ward Majlis.
4. In order to facilitate planning at the Panchayat level all the Departments whose subjects have been transferred to the Panchayat shall communicate to the Panchayat, the resources at its disposal for the next year, the scheme under which the funds are available and the sensitise the Ward Majlis, Halqa Majlis and the Halqa Panchayat about the norms to be followed for preparing the Plans.
5. The Halqa Panchayat shall submit the Gram Panchayat Development Plan to the Block Development Council before the date prescribed, and the Block Development Council shall consolidate all plans prepared by the Panchayats and submit the same to the District Development Council.
6. The District Development Council shall receive plans from Block Development Councils, scrutinise the same for adherence to the Government guidelines, norms and rules and submit the consolidated plan to the District Planning Committee who in turn shall submit the same to the Finance Department and the Administrative Department concerned, and the submission of the plans to the Administrative Departments/Finance Department shall be completed before the 31st of January without fail.
7. Where the District Planning Committee directs to make changes in the draft development plan on the ground that sector-wise priority and criteria for subsidy specified by the Government have not been followed or sufficient funds for Scheduled Castes, Scheduled Tribes and development schemes have not been provided in the draft development plan or that the Scheme was prepared not in accordance with the provisions of this Act or rules, the District Planning Committee shall return the same to the panchayat though the District Development Council and the Panchayat shall be bound to make such changes.
8. The Council shall in addition to the annual and five year plans, prepare a perspective plan foreseeing a period of fifteen years, with special focus on spatial planning for infrastructure development and considering the resources and the need for further development and such plan shall be sent to the concerned District Planning Committee.

[F.No.11012/21/2020-SRA]

AJAY KUMAR BHALLA, Home Secy.

लेखों का रखरखाव तथा उनका संतुलन और लेखाकरण 12ग.(1) प्रत्येक शासी निकाय, जिसको इस अधिनियम के अधीन रजिस्ट्रीकृत किसी सोसाइटी के काम-काज का प्रबंधन सौंपा जाए, नियमित लेखे रखेगी।

(2) ऐसे लेखे ऐसे रूप में रखे जाएंगे जो रजिस्ट्रार द्वारा अनुमोदित किए जाएं तथा उनमें ऐसी विशिष्टियां होंगी, जो नियमों द्वारा विहित की जाएं।

(3) इन लेखों का प्रतिवर्ष 31 मार्च को अथवा उस तारीख को, जो रजिस्ट्रार द्वारा नियत की जाए, संतुलन किया जाएगा।

(4) इन लेखों की वार्षिक रूप से नियमों द्वारा विहित रीति में तथा ऐसे व्यक्ति द्वारा, जो चार्टर्ड अकाउंटेंट अधिनियम, 1949 (1949 का 38) के अर्थान्तर्गत चार्टर्ड अकाउंटेंट हो अथवा ऐसे व्यक्तियों द्वारा जो लद्दाख संघ राज्य क्षेत्र के प्रशासन द्वारा इस संबंध में प्राधिकृत किए जाएं, लेखापरीक्षा की जाएगी।

तुलन पत्र तैयार करने और अनियमितताओं की सूचना देने का लेखापरीक्षक का कर्तव्य 12घ. (1) धारा 12ग के अधीन किसी सोसाइटी के लेखों की लेखापरीक्षा करने वाले प्रत्येक लेखापरीक्षक का यह कर्तव्य होगा कि वह तुलन पत्र तथा आय और व्यय का लेखा-जोखा तैयार करे और इसकी एक प्रति रजिस्ट्रार को भेजे।

(2) लेखापरीक्षक अपनी रिपोर्ट में अनियमित, अवैध अथवा अनुचित व्यय अथवा धनराशि को वसूल करने में असफल रहने अथवा लोप करने के सभी मामलों अथवा सोसाइटी से संबंधित अन्य किसी संपत्ति अथवा हानि अथवा धन के अपव्यय अथवा उसकी अन्य संपत्ति का उल्लेख करेगा तथा इस बात का भी उल्लेख करेगा कि क्या इस प्रकार का व्यय, असफलता, लोप, हानि अथवा अपव्यय, न्यास भंग अथवा दुरुपयोग तथा शासी निकाय अथवा अन्य किसी व्यक्ति के अन्य किसी गलत आचरण के कारण हुआ है”.

धारा 18.- “संयुक्त-स्टॉक कंपनियों के रजिस्ट्रार” शब्दों के स्थान पर “सोसाइटी के रजिस्ट्रार” शब्द रखें”

धारा 19.- “रजिस्ट्रार” शब्द के स्थान पर “सोसाइटी के रजिस्ट्रार” शब्द रखें।

[फा. सं.11012/21/2020-एसआरए]

अजय कुमार भल्ला, गृह सचिव

MINISTRY OF HOME AFFAIRS

(Department of Jammu, Kashmir and Ladakh Affairs)

ORDER

New Delhi, the 26th October, 2020

S.O. 3805(E).—In exercise of the powers conferred by section 96 of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), and of all other powers enabling it in that behalf, the Central Government hereby makes the following Order in respect of the Administration of the Union territory of Ladakh, namely: —

1. (1) This Order may be called the Union Territory of Ladakh Reorganisation (Adaptation of Central Laws) Second Order, 2020.

(2) It shall come into force with immediate effect.

2. The General Clauses Act, 1897 applies for the interpretation of this Order as it applies for interpretation of laws in force in the territory of India.

3. With immediate effect, the Acts mentioned in the Schedule to this Order shall, until repealed or amended by a competent authority, have effect, subject to the adaptations and modifications directed by the said Schedule, or if it is so directed, shall stand repealed.

4. Where this Order requires that in any specified section or other portion of an Act, certain words shall be substituted for certain other words, or certain words shall be omitted, such substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that section or portion.

5. The provisions of this Order which adapt or modify any law so as to alter the manner in which, the authority by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the 31st day of October, 2019; and any such notification, order, commitment, attachment, bye-law, rule, regulation or anything may be revoked, varied or undone in the like manner, to the like extent and in the like circumstances, as if it had been made, issued or done after the commencement of this Order by the competent authority and in accordance with the provisions then applicable to such case.

6. (1) The repeal or amendment of any law specified in the Schedule to this Order shall not affect—
- (a) the previous operation of any law so repealed or anything duly done or suffered thereunder;
 - (b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed;
 - (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or
 - (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019) or this Order had not been passed or issued.

(2) Subject to the provisions of sub-paragraph (1), anything done or any action taken (including any appointment or delegation made, notification, instruction or direction issued, form, bye-law or scheme framed, certificate obtained, permit or licence granted or registration effected or agreement executed) under any such law shall be deemed to have been done or taken under the corresponding provisions of the Central Laws now extended and applicable to the Union territory of Ladakh and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the Central Laws now extended to the Administration of the Union territory of Ladakh.

THE SCHEDULE (See paragraph 3)

CENTRAL LAW

THE SOCIETIES REGISTRATION ACT, 1860 (21 of 1860)

- (a) after the preamble and before the existing section 1, insert –

**Appointment, etc. of
Registrar of Societies,
etc.**

“1. (1) The Administration of Union territory of Ladakh may, by notification, appoint a person to be called the Registrar of Societies and he shall exercise such powers and perform such duties and functions as are conferred by or under the provisions of this Act, and shall subject to such general or special order as the Administration of the Union territory of Ladakh may from time to time make, superintend the administration and carry out the provisions of this Act throughout

the Union territory of Ladakh.” ;

“(2) The Administration of the Union territory of Ladakh may by notification, appoint one or more Additional Registrars with such local jurisdiction as may be assigned to them.

(3) The Additional Registrars so appointed shall, subject to the control of the Registrar of Societies, exercise such of the powers and perform such of the functions of the Registrar of Societies as the Administration of the Union territory of Ladakh may authorise in that behalf.”;

Section 3.- (b) number the existing section 1 as section 1A and in this section as so numbered, for “Registrar of Joint-Stock Companies” substitute “Registrar of Societies”.
For “Registrar”, substitute “Registrar of Societies.”.

Section 4. - For “Registrar of Joint-Stock Companies”, substitute “Registrar of Societies”.

Insertion of new sections –

After section 4, insert the following sections, namely:—

Changes in list mentioned in section 4 and rules to be filed. “4A. (1) Without prejudice to the provisions of section 4 and change in personnel on the list filed under said section occurring during the year to which such list relates shall be intimated to the Registrar of Societies within two months of the making of such changes.

(2) A copy of every alteration made in the rules and regulation of the society, certified to be a correct copy by not less than three of the Governors, Directors or members of governing body, as the case may be, shall be sent to the Registrar of Societies within two months of such alteration.

Persons by whom lists, etc., are to be sent. 4B. It shall be the duty—
(a) of the Chairman or, as the case may be, the President, the Secretary or any other person authorised in that behalf by the rules and regulations of the society or by a resolution of the governing body of the society; or

(b) of the Chairman, or as the case may be, the President of the governing body of the society where there is no such authorisation,

to file the list mentioned in section 4 or to send the intimation, or as the case may be, the copy mentioned in section 4A to the Registrar of Societies.

Offence. 4C. (1) If any person who is required so to do under the preceding section fails without reasonable cause to comply with the provisions thereof, he shall, on conviction, be punishable with fine which may extend to one thousand rupees.

(2) If any person wilfully makes or causes to be made any false entry or alteration in, or any omission from, the list filed under section 4 or any statement or copy of rules and regulations sent to the Registrar of Societies under section 4A, he shall on, conviction, be punishable with fine which may extend to five thousand rupees.”.

Section 12.- (i) after “any other society”, insert “or whenever the governing body of any such society decides to change the name of the society”; and

(ii) after the words “ after the formal meeting” insert —

“Provided that no proposition for amalgamation shall be carried into effect unless it has been considered, agreed to and confirmed by all concerned societies in the manner prescribed in this section.”.

Insertion of new sections –

After section 12, insert –

Registration of change of name.	<p>“12A. (1) Where a proposition for change of name has been agreed to and confirmed in the manner prescribed by section 12, a copy of the proposition so agreed to and confirmed shall be forwarded to the Registrar for registering the change of name and if the proposed change in the name is in his opinion undesirable for any of the reasons mentioned in section 3A, the Registrar shall refuse to register the change of name.</p> <p>(2) Save as provided in sub-section (1), the Registrar shall, if he is satisfied that the provisions of this Act in respect of change of name have been complied with, register the change of name and issue a certificate of registration altered to meet the circumstances of the case, and on the issue of such a certificate the change of name shall be complete.</p> <p>(3) The Registrar shall charge for any copy of a certificate issued under sub-section (2), a fee of rupee five hundred and all fees so paid shall be accounted for to the Administration of the Union territory of Ladakh.</p> <p>(4) If, through inadvertence or otherwise, a society is registered by a name which should not have been registered (due regard being had to the provisions of section 3A), the Registrar may, after hearing the party concerned direct the society to change the name; and the society shall change its name within a period of three months from the date of the direction in accordance with the provisions of this Act, or such longer period as the Registrar may think fit to allow.</p>
Effect of change of name.	<p>12B. The change in the name of society shall not affect any rights or obligations of the society or render defective any legal proceeding by or against the society and any legal proceeding which might have been continued or commenced by or against it by its former name may be continued or commenced by or against it by its new name.</p>
Maintenance of accounts and their balancing and accounting.	<p>12C.(1) Every governing body entrusted with the management of the affairs of a society registered under this Act shall keep regular accounts.</p> <p>(2) Such accounts shall be kept in such form as may be approved by the Registrar, and shall contain such particulars as may be prescribed by rules.</p> <p>(3) The accounts shall be balanced each year on the 31st day of March or such other day as may be fixed by the Registrar.</p> <p>(4) The accounts shall be audited annually in such manner as may be prescribed by rules and by a person who is a Chartered Accountant within the meaning of the Chartered Accountants Act, 1949 (38 of 1949), or by such persons as may be authorised in this behalf by the Administration of the Union territory of Ladakh.</p>
Auditor’s duty to prepare balance sheet and report irregularities, etc.	<p>12D. (1) It shall be the duty of every auditor auditing the accounts of a society under section 12C to prepare balance-sheet and income and expenditure account and to forward a copy of the same to the Registrar.</p> <p>(2) The auditor shall in his report specify all cases of irregular, illegal or improper expenditure or failure or omission to recover money or other property belonging to the society or of loss or waste of money or other property thereof, and state whether such expenditure, failure, omission, loss or waste was caused in consequence of branch of trust or misapplication or any other misconduct on the part of the governing body or any other person.”.</p>
Section 18.-	For “Registrar of Joint-Stock Companies”, substitute “Registrar of Societies”.
Section 19.-	For “Registrar”, substitute “Registrar of Societies”.

[F. No. 11012/21/2020-SRA]

AJAY KUMAR BHALLA, Home Secy.

आदेश

नई दिल्ली, 26 अक्टूबर, 2020

का.आ. 3806(अ).—केन्द्रीय सरकार, जम्मू-कश्मीर पुनर्गठन अधिनियम, 2019 (2019 का 34) की धारा 96 द्वारा प्रदत्त शक्तियों और इस निमित्त उसे समर्थ बनाने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, लद्दाख संघ राज्य क्षेत्र के सम्बन्ध में निम्नलिखित आदेश करती है, अर्थात:-

1. (1) इस आदेश का संक्षिप्त नाम लद्दाख संघ राज्य क्षेत्र पुनर्गठन (राज्य विधियों का अनुकूलन) दूसरा आदेश, 2020 है।
(2) यह तुरंत प्रभाव से प्रवृत्त होगा।
2. साधारण खंड अधिनियम, 1897 इस आदेश के निर्वचन के लिए वैसे ही लागू होगा जैसे यह भारत राज्य क्षेत्र में प्रवृत्त विधियों के निर्वचन के लिए लागू होता है।
3. तत्काल प्रभाव से, इस आदेश की अनुसूची में उल्लिखित अधिनियम, जब तक सक्षम प्राधिकारी द्वारा निरसित या संशोधित नहीं किए जाते हैं, उक्त अनुसूची द्वारा निदेशित अनुकूलनों और उपांतरणों के अधीन रहते हुए प्रभावी होंगे या यदि इस प्रकार निदेशित किया गया है, तो निरसित हो जाएंगे।
4. जहां इस आदेश में ऐसा अपेक्षित है कि किसी अधिनियम की किसी विनिर्दिष्ट धारा या अन्य भाग में, कतिपय अन्य शब्दों के स्थान पर कतिपय शब्द प्रतिस्थापित किए जाएंगे या कतिपय शब्दों का लोप किया जाएगा वहां, यथास्थिति, ऐसा प्रतिस्थापन या लोप, वहां के सिवाय जहां अन्यथा अभिव्यक्त रूप से उपबंधित है, जहां कहीं विनिर्दिष्ट शब्द उस धारा या उसके भाग में आते हैं, किया जाएगा।
5. इस आदेश के ऐसे उपबंध, जो किसी विधि का अनुकूलन करते हैं, या उसका उपांतरण करते हैं या उसका निरसन करते हैं जिससे उसे ऐसी रीति में परिवर्तित किया जा सके जिसमें ऐसा प्राधिकार जिसके द्वारा या ऐसी विधि जिसके अधीन या जिसके अनुसार ऐसी कोई शक्तियां प्रयोक्तव्य हों, 31 अक्टूबर, 2019 से पहले सम्यक रूप से जारी की गई किसी अधिसूचना, किए गए आदेश, की गई प्रतिबद्धता, कुर्की, बनाई गई उपविधि, बनाए गए नियम या विनियम को या सम्यक रूप से की गई किसी बात को अविधिमान्य नहीं बनाएंगे; और ऐसी किसी अधिसूचना, आदेश, प्रतिबद्धता, कुर्की, उपविधि, नियम या विनियम या किसी बात का वैसी ही रीति में, वैसे ही विस्तार तक, और वैसी ही परिस्थितियों में प्रतिसंहरण, फेरफार या अकृत किया जा सकेगा मानों वह सक्षम प्राधिकारी द्वारा इस आदेश के प्रारंभ के पश्चात और ऐसे मामले को उस समय लागू उपबंधों के अनुसार बनाया गया हो, जारी किया गया हो या किया गया हो।
6. इस आदेश की अनुसूची में विनिर्दिष्ट किसी भी विधि का निरसन या संशोधन —
 - (क) इस प्रकार निरसित किसी विधि के पूर्ववर्ती प्रवर्तन या उसके अधीन सम्यक रूप से की गई या सहन की गई किसी बात को;
 - (ख) इस प्रकार निरसित किसी विधि के अधीन अर्जित, प्रोद्भूत या उपगत किसी अधिकार, विशेषाधिकार, बाध्यता या दायित्व को;
 - (ग) इस प्रकार निरसित किसी विधि के विरुद्ध कारित किसी अपराध के संबंध में उपगत किसी शास्ति, समपहरण या दंड को;
 - (घ) यथापूर्वोक्त किसी ऐसे अधिकार, विशेषाधिकार, बाध्यता, दायित्व, शास्ति, समपहरण या दंड के संबंध में कोई अन्वेषण, विधिक कार्यवाही या उपचार को,

प्रभावित नहीं करेगा और ऐसे किसी अन्वेषण, विधिक कार्यवाही या उपचार को वैसे ही संस्थित, जारी या प्रवर्तित किया जा सकेगा और ऐसी किसी शास्ति, समपहरण या दंड को वैसे ही अधिरोपित किया जा सकेगा मानो जम्मू-कश्मीर पुनर्गठन अधिनियम, 2019 (2019 का 34) या यह आदेश पारित या जारी नहीं किया गया हो।

**अनुसूची
(पैरा 3 देखें)
राज्य विधियां**

1 जम्मू-कश्मीर लंबरदारी अधिनियम

(1972 की सं. X)

पूरे अधिनियम में "सरकार" के स्थान पर "लद्दाख संघ राज्य क्षेत्र प्रशासन" शब्द रखें।

धारा 1. –

- (i) उप-धारा (1) और उप-धारा (2) में, "जम्मू-कश्मीर" शब्दों के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें; और
- (ii) उप-धारा (3) में "शासकीय राजपत्र" शब्दों के स्थान पर "राजपत्र" शब्द रखें।

2. जम्मू-कश्मीर भूमि सुधार योजना अधिनियम

(1972 का XXIV)

पूर्णतः निरसन करें।

3. जम्मू-कश्मीर लोक व्यक्ति और लोक सेवक आस्तियों की घोषणा तथा अन्य उपबंध अधिनियम, 1983 (1983 का V)

पूर्णतः निरसन करें।

4. शेर-ए-कश्मीर कृषि विज्ञान एवं प्रौद्योगिकी विश्वविद्यालय अधिनियम, 1982

(1982 का VII)

पूर्णतः निरसन करें।

5. जम्मू-कश्मीर राज्य निष्क्रांत (संपत्ति प्रबंधन) अधिनियम, संवत् 2006 (1949एडी) (2006 का VI)

अन्यथा उपबंधित के सिवाय पूरे अधिनियम में "सरकार" और "शासकीय राजपत्र" शब्दों के स्थान पर क्रमशः "लद्दाख संघ राज्य क्षेत्र प्रशासन" और "राजपत्र" रखें।

उद्देशिका अथवा अन्यथा उपबंधित के सिवाय, पूरे अधिनियम में "जम्मू-कश्मीर" और "राज्य" शब्दों के स्थान पर क्रमशः "लद्दाख संघ राज्य क्षेत्र" और "संघ राज्य क्षेत्र" शब्द रखें।

उद्देशिका.—

"जम्मू-कश्मीर राज्य में", जहां कहीं वह आते हैं, शब्दों के स्थान पर "लद्दाख संघ राज्य क्षेत्र में" शब्द रखें।

धारा 4क.—

"निष्क्रांत संपत्ति विभाग के प्रभारी मंत्री" शब्दों के स्थान पर "लद्दाख संघ राज्य क्षेत्र

- प्रशासन" शब्द रखें।
- धारा 4ख. – लोप करें।
- धारा 6. – उप-धारा (1) में "जम्मू-कश्मीर शासकीय राजपत्र", जहां कहीं वह आते हैं, शब्दों के स्थान पर "लद्दाख संघ राज्य क्षेत्र का राजपत्र" शब्द रखें।
- धारा 9क. – खंड (ख) में, उप खंड (vii) में "कश्मीर घाटी में आम तौर पर "पंद पंद" के नाम से जाने जाने वाले" शब्दों का लोप करें।
- धारा 10क. – उप-धारा (6) में, खंड (ख) में "निष्क्रांत संपत्ति विभाग के प्रभारी मंत्री" शब्दों के स्थान पर "लद्दाख संघ राज्य क्षेत्र प्रशासन" शब्द रखें।
- धारा 14क. – (i) उप-धारा (1) में "जो वित्त आयुक्त के रैंक से नीचे का न हो" का लोप करें; और
(ii) धारा 14क में, दूसरे परंतुक में "राज्य भूमि अधिग्रहण अधिनियम, संवत् 1990" और "धारा 4, धारा 6 और धारा 7" के स्थान पर क्रमशः 'भूमि अर्जन, पुनर्वास और पुनर्व्यस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30)" और "धारा 11 और धारा 19" शब्द और अंक रखें।
- धारा 14ख. – उप-धारा (2) में "राज्य अधिग्रहण अधिनियम, संवत् 1990 की धारा 9, धारा 9क, धारा 11, धारा 12, धारा 18, धारा 23, धारा 24 और 31" शब्दों और अंकों के स्थान पर 'भूमि अर्जन, पुनर्वास और पुनर्व्यस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30)" की धारा 21, धारा 23, धारा 37, धारा 64, धारा 69 और धारा 76" शब्द और अंक रखें।
- धारा 15. – उप-धारा (2) में "जम्मू-कश्मीर शासकीय राजपत्र " शब्दों के स्थान पर, "राजपत्र" शब्द रखें।
- धारा 22. – "दंड प्रक्रिया संहिता, 1989 (1989 का XXIII)" शब्दों और अंकों के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" शब्द और अंक रखें।
- धारा 24. – "दंड प्रक्रिया संहिता, 1989 (1989 का XXIII)", शब्दों और अंकों, जहां कहीं वह आते हैं, के स्थान पर, "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 25. – "जम्मू-कश्मीर शासकीय राजपत्र" शब्दों के स्थान पर, "लद्दाख संघ राज्य क्षेत्र प्रशासन का राजपत्र" शब्द रखें।
- धारा 26. – "जम्मू-कश्मीर शासकीय राजपत्र" शब्दों के स्थान पर "लद्दाख संघ राज्य क्षेत्र प्रशासन का राजपत्र" शब्द रखें।
- धारा 28. – "रणवीर दंड संहिता (1989 का XII)" शब्दों और अंकों के स्थान पर "भारतीय दंड संहिता (1860 का 45)" शब्द और अंक रखें।
- धारा 29. – "दंड प्रक्रिया संहिता, 1977 (1977 का X)", "रणवीर दंड संहिता (1989 का XII)" तथा "दंड प्रक्रिया संहिता, 1989 (1989 का XXIII) की धारा 480 और धारा 482" शब्दों और अंकों के स्थान पर, "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)", भारतीय दंड संहिता (1860 का 45)" और "दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 345 और धारा 346" शब्द और अंक रखें।
- धारा 30क. – धारा के शीर्षक में "प्रभारी मंत्री" शब्दों का लोप करें। धारा में "निष्क्रांत संपत्ति विभाग के प्रभारी मंत्री" और "प्रभारी मंत्री" शब्दों के स्थान पर, दोनों स्थानों पर "लद्दाख संघ राज्य क्षेत्र प्रशासन" शब्द रखें।

- धारा 34. – जम्मू-कश्मीर साक्ष्य अधिनियम, 1977 (1977 का XII)”, शब्दों और अंकों के स्थान पर “भारतीय साक्ष्य अधिनियम, 1872 (1872 का 1)” शब्द और अंक रखें।
- धारा 37. – “जम्मू-कश्मीर शासकीय राजपत्र” शब्दों के स्थान पर “राजपत्र” शब्द रखें।
- धारा 39. – उप-धारा (1) में “जम्मू-कश्मीर शासकीय राजपत्र” शब्दों के स्थान पर “राजपत्र” शब्द रखें।

6. लद्दाख विश्वविद्यालय अधिनियम, 2018

(2018 का LVI)

पूरे अधिनियम में अन्यथा उपबंधित के सिवाय, “सरकार” और “राज्य”, “शासकीय राजपत्र” और “जम्मू-कश्मीर” शब्दों के स्थान पर, “लद्दाख संघ राज्य क्षेत्र प्रशासन”, “राजपत्र” और “लद्दाख संघ राज्य क्षेत्र” शब्द रखें।

- धारा 2.– (i) खंड (क) के पश्चात, खंड(कक) अंतःस्थापित, अर्थात्,—
“(कक) “प्रशासन” से लद्दाख संघ राज्य क्षेत्र का प्रशासन अभिप्रेत है”, और
(ii) खंड (ज) का लोप करें।
- धारा 10.– उप-धारा (1) में “राज्यपाल” शब्द के स्थान पर “उप-राज्यपाल” शब्द रखें।
- धारा 11.– उप-धारा (1) में “मुख्यमंत्री” शब्द के स्थान पर “उप-राज्यपाल का सलाहकार” शब्द रखें।
- धारा 12.– उप-धारा (5) में “क्लस्टर यूनिवर्सिटी का कुलपति पांच वर्ष तक पद पर रहेगा” के स्थान पर, “कुलपति तीन वर्ष की अवधि, जिसका कुलाधिपति द्वारा ऐसी रीति में जो वह उचित समझे, कार्य निष्पादन के मूल्यांकन के पश्चात दो वर्ष की और अवधि तक विस्तार किया जाएगा, तक अथवा उसके 65 वर्ष की आयु पूरी करने तक, इनमें से जो भी पहले हो, पद पर रहेगा और कुलपति की परिलब्धियां तथा अन्य सेवा शर्तें वे होंगी जो विहित की जाएं तथा उसकी नियुक्ति के पश्चात कोई अलाभकारी परिवर्तन नहीं किया जाएगा; शब्द रखें।
- धारा 19.– उप-धारा (1) में,—
(i) खंड (iii) में “प्रभारी मंत्री” शब्दों के स्थान पर “प्रशासनिक सचिव” शब्द रखें; और
(ii) खंड (vii) में “राज्य में स्थापित अन्य क्लस्टर यूनिवर्सिटीज के कुलपतियों” शब्दों के स्थान पर “कुलाधिपति द्वारा यथा नामनिर्दिष्ट अन्य विश्वविद्यालयों के दो कुलपति” शब्द रखें।
- धारा 21.– उप-धारा (1) में,
(i) खंड (vi) में, “चक्रानुक्रम द्वारा राज्य में स्थापित अन्य क्लस्टर विश्वविद्यालयों का” शब्दों के स्थान पर “अन्य विश्वविद्यालयों का” शब्द रखें; और
(ii) खंड (viii) में, “राज्य में स्थापित अन्य क्लस्टर विश्वविद्यालयों का” के स्थान पर “अन्य विश्वविद्यालयों का” शब्द रखें।
- धारा 23.– खंड (vi) और (vii) में “राज्य में स्थापित अन्य क्लस्टर विश्वविद्यालयों का” शब्दों के स्थान पर अन्य विश्वविद्यालयों का” शब्द रखें।

[फा. सं. 11012/21/2020-एसआरए]

अजय कुमार भल्ला, गृह सचिव

ORDER

New Delhi, the 26th October, 2020

S.O. 3806(E).—In exercise of the powers conferred by section 96 of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), and of all other powers enabling it in that behalf, the Central Government hereby makes the following Order in respect of the Union territory of Ladakh, namely:-

1. (1) This Order may be called the Union Territory of Ladakh Reorganisation (Adaptation of State Laws) Second Order, 2020.

(2) It shall come into force with immediate effect.

2. The General Clauses Act, 1897 applies for the interpretation of this Order as it applies for the interpretation of laws in force in territory of India.

3. With immediate effect, the Acts mentioned in the Schedule to this Order shall, until repealed or amended by a competent authority, have effect, subject to the adaptations and modifications directed by the said Schedule, or if it is so directed, shall stand repealed.

4. Where this Order requires that in any specified section or other portion of an Act, certain words shall be substituted for certain other words, or certain words shall be omitted, such substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that section or portion.

5. The provisions of this Order which adapt or modify or repeal any law so as to alter the manner in which, the authority by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the 31st day of October, 2019; and any such notification, order, commitment, attachment, bye-law, rule, regulation or anything may be revoked, varied or undone in the like manner, to the like extent and in the like circumstances, as if it had been made, issued or done after the commencement of this Order by the competent authority and in accordance with the provisions then applicable to such case.

6. The repeal or amendment of any law specified in the Schedule to this Order shall not affect—

- (a) the previous operation of any law so repealed or anything duly done or suffered thereunder;
- (b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed;
- (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or
- (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019) or this Order had not been passed or issued.

THE SCHEDULE
(See paragraph 3)

STATE LAWS

1. THE JAMMU AND KASHMIR LAMBARDARI ACT
(X of 1972)

Throughout the Act for “Government”, substitute “Administration of Union territory of Ladakh”,
Section 1. —

- (i) in sub-sections (1) and (2), for “Jammu and Kashmir”, substitute “Union territory of Ladakh”; and
- (ii) in sub-section (3), for “Government Gazette”, substitute “Official Gazette”.

2. THE JAMMU AND KASHMIR LAND IMPROVEMENT SCHEMES ACT
(XXIV of 1972)

Repeal as a whole.

3. THE JAMMU AND KASHMIR PUBLIC MEN AND PUBLIC SERVANTS DECLARATION OF ASSETS AND OTHER PROVISIONS ACT, 1983

(V of 1983)

Repeal as a whole.

4. THE SHER-I-KASHMIR UNIVERSITIES OF AGRICULTURAL SCIENCES AND TECHNOLOGY ACT, 1982

(VII of 1982)

Repeal as a whole.

5. THE JAMMU AND KASHMIR STATE EVACUEES (ADMINISTRATION OF PROPERTY) ACT, SVT. 2006 (1949 A.D.) (VI of 2006)

Throughout the Act, except as otherwise provided, for “Government” and “Government Gazette”, substitute “Administration of Union territory of Ladakh” and “Official Gazette”, respectively.

Throughout the Act, except in preamble or as otherwise provided, for “Jammu and Kashmir” and “State” substitute “Union territory of Ladakh” and “Union territory”, respectively.

- Preamble.**— For “in the Jammu and Kashmir State” wherever occurring substitute “in the Union territory of Ladakh”
- Section 4A.**— For “Minister Incharge Evacuee property Department”, substitute “Administration of Union territory of Ladakh”.
- Section 4B.**— Omit.
- Section 6.**— In sub-section (1), for “Jammu and Kashmir Government Gazette”, where ever occurring substitute “Official Gazette of the Union territory of Ladakh”.
- Section 9A.**— In the clause (b), in sub-clause (vii), omit “commonly known as "Pand Pand" in Kashmir Valley”.
- Section 10A.**— In sub-section (6), in clause (b), for “Minister Incharge of the Evacuee property Department ” substitute “the Administration of Union territory of Ladakh”
- Section 14A.**— (i) in the sub-section (1), omit “not below the rank of Financial Commissioner”; and
(ii) in section 14A, in second proviso, for “State Land Acquisition Act, Samvat 1990” and “sections 4, 6 and 7” substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)” and “Sections 11 and 19” respectively.
- Section 14B.**— In sub-section (2), for the “sections 9,9A, 11, 12, 18, 23, 24 and 31 of the State Acquisition Act, Samvat 1990”, substitute “sections 21,23, 37,64, 69 and 76 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”.
- Section 15.**— In sub-section (2), for “Jammu and Kashmir Government Gazette” substitute “Official Gazette”.
- Section 22.**— For “Code of Criminal Procedure, 1989 (Act XXIII of 1989)”, substitute “The Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 24.**— For “Code of Criminal Procedure, 1989 (Act XXIII of 1989)” whenever occurring, substitute “The Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 25.**— For “Jammu and Kashmir Government Gazette” , substitute “Official Gazette of the Administration of Union territory of Ladakh”.
- Section 26.**— For “Jammu and Kashmir Government Gazette” substitute “Official Gazette of the Administration of Union territory of Ladakh”.
- Section 28.**— For “Ranbir Penal Code (XII of 1989)”, substitute “The Indian Penal Code (45 of 1860)”.

- Section 29.** – For “Code of Civil Procedure, 1977 (X of 1977)”, “Ranbir Penal Code (XII of 1989)” and “sections 480 and 482 of the Code of Criminal Procedure, 1989 (XXIII of 1989)”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”, “The Indian Penal Code (45 of 1860)” and “sections 345 and 346 of The Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 30A.** – In section heading omit “of the Minister Incharge” in the section for “Minister Incharge of the Evacuee property Department ” and “Minister Incharge”, substitute “Administration of Union territory of Ladakh” in both the instances.
- Section 34.** – For “Jammu and Kashmir Evidence Act, 1977 (XII of 1977)”, substitute “The Indian Evidence Act, 1872 (1 of 1872)”.
- Section 37.** – For “Jammu and Kashmir Government Gazette” substitute “Official Gazette”.
- Section 39.** – In sub-section (1), for “Jammu and Kashmir Government Gazette” substitute “Official Gazette”.

6. THE UNIVERSITY OF LADAKH ACT, 2018 (LVI of 2018)

Throughout the Act except as otherwise provided, for “Government” and “State”, “Government Gazette”, and “Jammu and Kashmir”, substitute “Administration of Union territory of Ladakh”, “Official Gazette” and “Union territory of Ladakh”.

- Section 2.**– (i) after clause (a), insert clause (aa), namely,—
“(aa) “Administration” means the Administration of the Union territory of Ladakh ;” and
(ii) omit clause (h).
- Section 10.**– In sub-section (1), for “Governor”, substitute “Lieutenant Governor”.
- Section 11.**– In sub-section (1), for “Chief Minister”, substitute “Advisor to the Lieutenant Governor”.
- Section 12.**– In sub-section (5), for “The Vice Chancellor of the Cluster University shall hold office for five years”, substitute “The Vice-Chancellor shall hold office for a term of three years with an extension of another two years after evaluation of performance by the Chancellor in the manner as he deems fit or until he attains the age of 65 years, whichever is earlier and the emoluments and other conditions of service of the Vice-Chancellor shall be such as may be prescribed and shall not be varied to his disadvantage after his appointment.”
- Section 19.**– In sub-section (1),—
(i) in clause (iii), for “the Minister, Incharge”, substitute “Administrative Secretary” ; and
(ii) in clause (vii), for “the Vice-Chancellors of the other cluster Universities established in the State”, substitute “two Vice-Chancellors of other Universities as may be nominated by the Chancellor”.
- Section 21.**– In sub-section (1),
(i) in clause (vi), for “of the other Cluster Universities established in the State by rotation”, substitute “of other Universities” ; and
(ii) in clause (viii), for "of the other Cluster Universities established in the State", substitute “of other Universities”.
- Section 23.**– In clauses (vi) and (vii) for "of the other Cluster Universities established in the State", substitute “of other Universities”.

[F. No. 11012/21/2020-SRA]
AJAY KUMAR BHALLA, Home Secy.

(ग) गैर-वितरण आधार पर डिबेंचर के अलावा प्रतिभूति का हस्तांतरण;	.003%
(घ) डेरिवेटिवस	
(i) फ्यूचर्स (इक्विटी और कमोडिटी)	.002%
(ii) विकल्प (इक्विटी और कमोडिटी)	.003%
(iii) मुद्रा और ब्याज दर	.001%
डेरिवेटिव	
(iv) अन्य डेरिवेटिव	.002%
(ड.) सरकारी प्रतिभूतियां	0%
(च) कॉर्पोरेट बॉन्ड पर रेपो	.00001%

(iv) अनुच्छेद 54 में, मद सं (क) और (ख) और उससे संबंधित प्रविष्टियों का लोप करें।

[फा.सं. 11012/21/2020-एसआरए]

अजय कुमार भल्ला, गृह सचिव

ORDER

New Delhi, the 26th October, 2020

S.O. 3808 (E).—In exercise of the powers conferred by section 96 of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), and of all other powers enabling it in that behalf, the Central Government hereby makes the following Order in respect of the Union territory of Jammu and Kashmir, namely: —

1. (1) This Order may be called the Union Territory of Jammu and Kashmir Reorganisation (Adaptation of State Laws) Fifth Order, 2020.
(2) It shall come into force with immediate effect.

2. The General Clauses Act, 1897 applies for the interpretation of this Order as it applies for the interpretation of laws in force in the territory of India.

3. With immediate effect, the Acts mentioned in the Schedule to this Order shall, until repealed or amended by a competent Legislature or other competent authority, have effect, subject to the adaptations and modifications directed by the said Schedule, or if it is so directed, shall stand repealed.

4. Where this Order requires that in any specified section or other portion of an Act, certain words shall be substituted for certain other words, or certain words shall be omitted, such substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that section or portion.

5. The provisions of this Order which adapt or modify or repeal any law so as to alter the manner in which, the authority by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the 31st October, 2019; and any such notification, order, commitment, attachment, bye-law, rule, regulation or anything may be revoked, varied or undone in the like manner, to the like extent and in the like circumstances as if it had been made, issued or done after the commencement of this Order by the competent authority and in accordance with the provisions then applicable to such case.

6. The repeal or amendment of any law specified in the Schedule to this Order shall not affect—
- (e) the previous operation of any law so repealed or anything duly done or suffered thereunder;
 - (f) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed;
 - (g) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or
 - (h) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,
- and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019) or this Order had not been passed or issued.

THE SCHEDULE (See Paragraph 3)

STATE LAWS

1. THE JAMMU AND KASHMIR AERIAL ROPEWAYS ACT (XII of 2002)

Throughout the Act for “State Ranbir Panel Code, Svt. 1989 ”, substitute “Indian Penal Code (45 of 1860)”.

- Section 1.—** In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Jammu and Kashmir”.
- Section 2.—**
- (i) after clause (c), -
“ (cc) “Collector” means Collector as defined under the Land Revenue Act, Svt. 1996”.
 - (ii) in clause (d), for “Government of Jammu and Kashmir”, substitute “Government of Union territory of Jammu and Kashmir”.
 - (iii) for clause (f), -
“ (f) “Inspector” means an Officer, a Committee or an Agency so appointed by the Government under this Act.”
 - (iv) in clause (k), for “Companies Act, 1956” substitute “Companies Act, 2013”.

For sections 3 and 4 substitute –

Declaration for concessions. “3. Every declaration by an intending promoter other than the Government in regard to a proposed aerial ropeway for undertaking the necessary preliminary investigations shall be submitted on an application to the Divisional Commissioner concerned.

Contents of Declaration. 4. Every such application shall be supported by a duly sworn affidavit and shall include—

- (a) a description of the undertaking and of the route to be followed by the proposed aerial ropeway;
- (b) a description of the system of construction and management and the advantages to the community to be expected from the aerial ropeway;
- (c) an approximate estimate of the cost of construction thereof; and
- (d) such maps, plans, sections, diagrams and other information as the Government may require in order to form an idea of the proposal.”

For section 18 substitute –

Promoter may fix rates. “18. The promoter shall, for the purposes of working an aerial ropeway, have powers to fix the rates for the carriage of passengers, animals or goods on the aerial ropeway:

Provided that such rates shall be subject to such maximum and minimum rates as may be prescribed or ordered in case where concession, guarantee, or financial assistance have been granted by the Government or any local authority.”

Section 30.— For “Part VII of the State Land Acquisition Act, Samvat 1990”, substitute “The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(30 of 2013)”.

Section 32.— In sub-section (4), for “each House of the State Legislature” and “both Houses” substitute “Legislature of Union territory of Jammu and Kashmir” and “Legislative Assembly of Union territory of Jammu and Kashmir” respectively.

Section 34.— For “one thousand rupees”, substitute “five thousand rupees”.

2. THE JAMMU AND KASHMIR AGRARIAN REFORMS ACT

(XVII of 1976)

Throughout the Act for “State”, substitute “Union territory of Jammu and Kashmir”.

Section 1.— In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Jammu and Kashmir”.

Section 2.— (i) Number existing clause (1) as (1a) and before the so numbered clause (1a), insert -

“(1) “Board” means the Board of Revenue constituted under the Land Revenue Act, Samvat 1996.”;

(ii) in clause (4), for “The Jammu and Kashmir Forest Act, Samvat 1987” substitute “the Indian Forest Act, 1927(16 of 1927)”;

(iii) in clause (18)-

(a) for “Jammu and Kashmir Majority Act, Samvat 1977” substitute “The Majority Act, 1875(9 of 1875)”.

(b) omit “and the Jammu and Kashmir Displaced Persons (Permanent Settlement) Act, 1971”;

Section 3.— (i) In clause (f), omit “outside the District of Ladakh”;

(ii) omit clause (g).

(iii) in clause (n), for “State” substitute “Union territory of Jammu and Kashmir”;

Section 4.— (i) for “State” wherever occurring, substitute “Union territory of Jammu and Kashmir”;

(ii) in sub-section (2), omit clause (a).

Section 5.— For “State” wherever occurring, substitute “Union territory of Jammu and Kashmir”.

Section 6.— For “State” wherever occurring, substitute “Union territory of Jammu and Kashmir”.

Section 7.— After sub-section (7), insert-

“(8) *On and from such date as may be notified by the Government, no application for resumption of land shall be entertained under this section.*”

Section 13.— Omit sub-section (1), and sub-section (3).

Section 19.— Omit sub-section (3).

Section 21.— Omit sub-section (2)

Section 22.— *In sub-section (2),-*

- (a) *for “Jammu and Kashmir Limitation Act, Samvat 1995” substitute “the Limitation Act, 1963(36 of 1963)”;* and
- (b) *omit the proviso.*

Section 23.— For “sections 193, 219 and 228 of the Jammu and Kashmir State Ranbir Penal Code” substitute sections 193, 219 and 228 of “Indian Penal Code, 1860 (45 of 1860).”

Section 26.— Omit.

For section 28-A, substitute-

Prohibition on transfer of certain lands “28-A.— (1) *Save as otherwise provided in this section, no person who is vested with ownership rights in land under this Act shall transfer such land or rights therein in any manner whatsoever to any person other than Government or its agencies and instrumentalities;*

Provided that nothing in this sub-section shall prohibit:

- (a) *transfer of such land ownership whereof has been vested in a prospective owner under section 8 after the expiry of fifteen years from the date such land has been vested in the State under section 4 of the Act subject to the provisions of sections 133-H, 133-I, 133-J, 133-K and 133-L of the Jammu and Kashmir Land Revenue Act, Samvat, 1996 (Act No. XII of Samvat 1996);*
- (b) *grant of lease of land under the provisions of the Jammu and Kashmir Land Revenue Act, Samvat, 1996 (Act No. XII of Samvat 1996);*
- (c) *entering into Contract Farming under the provisions of Land Revenue Act, Samvat, 1996 (Act No. XII of Samvat 1996);*
- (d) *transfer of land in the form of simple mortgage for securing loan for purposes of improvement of the land.*

(2) *Any transfer of land or rights therein made in contravention of sub-section (1) shall be null and void. The person who has contravened the provisions of sub-section (1) shall after being given an opportunity of being heard, be dispossessed of such land by a Revenue Officer not below the rank of Tehsildar and the land shall vest in the State and shall be disposed of in the manner as may be prescribed.”*

**3. THE JAMMU AND KASHMIR ALIENATION OF LAND ACT
(V of Samvat 1995)**

Repeal as a whole.

**4. THE JAMMU AND KASHMIR BIG LANDED ESTATES ABOLITION ACT
(XVII Samvat 2007)**

Repeal as a whole.

**5. THE JAMMU AND KASHMIR COMMON LANDS (REGULATION) ACT, 1956
(XXIV of 1956)**

Repeal as a whole.

**6. THE JAMMU AND KASHMIR CONSOLIDATION OF HOLDINGS ACT, 1962
(V of 1962)**

Repeal as a whole.

**7. THE JAMMU AND KASHMIR DEVELOPMENT ACT
(XIX of 1970)**

Throughout the Act, for “State” substitute “Union territory of Jammu and Kashmir”.

Section 1 .— In sub section (2), for “whole of the State”, substitute “whole of the Union territory of Jammu and Kashmir”.

Section 2. – (i) in clause (da);-
(a) omit “being permanent resident of the State”; and
(b) for “4 meter x 7.5 meter and carpet area within the range of 25 square meter to 30 square meter”, substitute “as may be prescribed”;

(ii) in clause (ea);-
(a) omit “being permanent resident of the State”; and
(b) for “4.5 meter x 10 square meter of floor area of about 50 square meter in case of flatted accommodation”, substitute “as may be prescribed”;

(iii) in clause (l), for “section 3 of the Land Acquisition Act, 1990” substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”; and

(iv) after clause (l), add:-
“(m) “Strategic Areas” means an area notified as Strategic Area under sub-section (3) of section 3 of this Act.”

Section 3.— After sub-section (2), insert-

“(3) Notwithstanding anything contained in this Act, the Government may on the written request of an Army officer not below the rank of Corp Commander, declare an area as Strategic Area within a local area, only for direct operational and training requirements of armed forces, which may be excluded from the operation of this Act and rules/regulations made there under in the manner and to the extent

specified in the declaration and the Government may satisfy itself about the reasons cited for declaring the area as strategic area and will have such area notified accordingly with such conditions as may be required.”

Section 5.-- Substitute “The Authority” with “Subject to any rule, regulation, order or instruction issued in this behalf by the Government, the Authority”.

Section 8.— In sub-section (1), for “for each of the zones into which the local area may be divided” substitute “for such zones which are declared as development areas under section 13” and for “each zone”, substitute “each such zone”.

Section 11.— For “master and a zonal plan”, substitute “master or a zonal plan”

Insertion of new Section 11 A .

After section 11, insert-

Permitted land use and levy of land use charges “11A(1) Upon coming into operation of the master plan or a zonal plan, the land use permitted in the area covered thereunder shall only be as provided in terms of such master or zonal plan. The provisions of the Jammu and Kashmir Agrarian Reforms Act, 1976, Jammu and Kashmir Land Revenue Act, Samvat 1996 or any other law for the time being in force requiring any permission to change the usage of any land, shall not be applicable to any land so covered.

(2) The Government may, by notification in the Official Gazette, notify a scheme for levy of charges for use of land as permitted in the master plan or the zonal plan, the proceeds whereof shall form part of the fund of the Authority and may be used to defray the expenses incurred on acquisition of land that may be required to be acquired in terms of section 50.”

For section 13, substitute-

Declaration of development area and permission for development etc. “13. (1) After a notice approving the date of operation of plan is published under section 11, the Authority may, with prior permission of the Government and by notification in the Official Gazette, declare any zone or part thereof as development area for the purposes of this Act.

(2) Notwithstanding anything to the contrary contained in any law for the time being in force, consequent upon such notification, no person including a Department of the Government shall undertake or carry out development of any land or building in the zone unless permission for such development has been obtained in writing from the Authority in accordance with the provisions of this Act:

Provided that the development of any land undertaken by a Department of the Government or any local authority before the 31st day of October, 2019 may be completed by that Department or local authority.

(3) No person or entity, whether private or public, including a Department of the Government or any authority, shall undertake the implementation of any street or layout plan, in any form whatsoever, in the local area outside the limits of a Municipal Corporation established under the provisions of the Jammu and Kashmir Municipal Corporation Act, 2000, without the prior written permission of the Authority:

Provided that for the purposes of such permission, the Authority shall follow the procedure laid down in Chapter XIII of the Jammu and Kashmir Municipal Corporation Act, 2000, and any reference therein to the Corporation or the Commissioner shall be construed as reference to the Authority or the Vice-Chairman of the Authority, respectively:

Provided further that the restriction under this sub-section shall not apply to the development undertaken by or on behalf of the Metropolitan Region Development Authority established under the Jammu and Kashmir Metropolitan Region Development Authorities Act, 2018, or to a town planning scheme implemented under the provisions of the Jammu and Kashmir Town Planning Act, 1963.”

- Section 15.—** For “a plan in a zone”, substitute “a master or zonal plan in a zone”.
- Section 16. –** For “Land Acquisition Act, 1990”, substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”.
- Section 17. –** In sub-section (1), omit “permanent resident of the State”.
- Section 21. –** In sub-section (4), for “both Houses of the Legislature”, substitute “the Legislative Assembly of the Union territory of Jammu and Kashmir”.
- Section 22. -** In sub-section (2), for “Provident Funds Act, Svt. 1998”, substitute “The Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952).”.
- Insertion of new Chapter-
Chapter VII-A. –** After section 22, insert the following new Chapter:-

“CHAPTER VII-A

JAMMU AND KASHMIR INDUSTRIAL DEVELOPMENT CORPORATION.

Definitions

22-A. In this Chapter, unless the context otherwise requires,—

- (a) "amenity" includes road, supply of water or electricity, street lighting, drainage, sewerage, conservancy and such other convenience as the Government may, by notification in the Government Gazette, specify to be an amenity for the purposes of this Chapter;
- (b) "building" means any structure or erection, or part of a structure or erection, which is intended to be used for residential, industrial, commercial or other purposes, whether in actual use or not;
- (c) "Collector" means the Collector of a district, and includes any officer specially appointed by the Government to perform the functions of a Collector under this Chapter;
- (d) "commercial centre" in relation to any industrial area or industrial estate means any site selected by the Government where the Corporation builds shops and other buildings and makes them available for any commercial activity;]
- (e) "Corporation" means the Jammu and Kashmir Industrial Development Corporation or any other corporation(s) as notified by Government established under section 22-B;

(f) "Development" with its grammatical variations, means the carrying out of building, engineering, quarrying or other operations in, on, over or under land, or the making of any material change in any building or land, and includes re-development, but does not include mining operations; and "to develop" shall be construed accordingly:

(g) "engineering operations" include the formation of laying out of means of access to a road or the laying out of means of water supply;

(h) "Industrial area" means any area declared to be an industrial area by the Government by notification in the Government Gazette, which is to be developed and where industries are to be accommodated;

(i) "Industrial estate" means any site selected by the Government, where the Corporation builds factories and other buildings and makes them available for any industries or class of industries;

(j) "means of access" includes a road for any means of access, whether private or public, for vehicles or for pedestrians;

(k) "premises" means any land of building or part of a building and includes—

(i) the garden, grounds and out-houses, if any, appertaining to such building or part of a building ;and

(ii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof;

(l) "prescribed" means prescribed by rules made under this Chapter;

(m) the expression "land" and the expression "person interested" shall have the meanings respectively assigned to them in the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

Establishment and Constitution of the Corporation

22-B (1) For the purposes of securing and assisting in the rapid and orderly establishment, and organization of industries in industrial areas and industrial estates in the Union Territory of Jammu and Kashmir and for the purpose of establishing commercial centers in connection with the establishment and organization of such industries, there shall be established by the Government by notification in the Government Gazette, a Corporation by the name of the Jammu and Kashmir Industrial Development Corporation or any other corporation(s) as notified by Jammu and Kashmir Government .

(2) The Corporation shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name, and shall be competent to acquire, hold and dispose of property, both movable and immovable, and to contract, and do all things necessary, for the purposes of this Chapter.

Composition of the Corporation	<p>22-C (1) The Corporation shall consist of the following twelve Directors, namely:-</p> <ul style="list-style-type: none"> (a) five official Directors nominated by the Jammu and Kashmir Government, of whom one shall be the Financial Adviser to the Corporation; (b) one Director nominated by the Jammu and Kashmir State Power Development Department; (c) one Director nominated by the Jammu and Kashmir Public Health engineering Department; (d) four Directors nominated by the by Jammu and Kashmir Government, from amongst persons appearing to it either to be qualified by reason of experience of, and capability in, industry or trade or finance or to be suitable to represent the interest of persons engaged or employed therein; and (e) the Managing Director of the Corporation, ex-officio, who shall also be the Secretary of the Corporation. <p>(2) The Governments shall appoint one of the Directors of the Corporation to be Chairman of the Corporation and may appoint one of the other Directors as Vice-Chairman.</p>
Disqualifications	<p>22-D A person shall be disqualified for being nominated as a Director of the Corporation, if he—</p> <ul style="list-style-type: none"> (a) is an employee of the Corporation, not being the Managing Director thereof, or (b) is of unsound mind and stands so declared, by a competent court, or (c) is an un discharged insolvent.
Term	<p>22-E (1) (a) The Chairman, Vice- Chairman and Directors of the Corporation nominated by the Government shall hold office during the pleasure of the Government;</p> <p>(b) The director nominated under clauses (b) and (c) of sub-section(1) of section 22-C shall hold office during the pleasure of respective Board.</p> <p>(2) The Directors of the Corporation nominated under clause (a) or (e) of sub-section (1) of section 22-C shall be entitled to draw such salary and allowances as may be prescribed. Such reasonable additional remuneration, as may be fixed by the Government, may be paid to any Director for extra or special services required to be rendered by him.</p> <p>(3) The Directors of the Corporation nominated under clause (b), (c) or (d) of sub-section (1) of section 22-C shall be entitled to draw such honorarium of compensatory allowance for the purpose of meeting the personal expenditure in attending the meetings of the Corporation or of any Committee thereof or in doing or for performing any work connected with the functions of the Corporation which may be specially entrusted to them by the Corporation or by any Committee thereof as may be prescribed.</p> <p>(4) Any person nominated as a Director shall, unless disqualified, be eligible for re nomination.</p>

Meetings

22-F (1) The Corporation shall meet at such times and places, and shall subject to the provisions of sub-section (2) observe such rules of procedure in regard to the transactions of its business as may be provided by regulations.

(2) A Director, who is directly or indirectly concerned or interested in any contract, loan, arrangement or proposal entered into or proposed to be entered into, by or on behalf of the Corporation, shall at the earliest possible opportunity disclose the nature of his interest to the Corporation, and shall not be present at any meeting of the Corporation when the contract, loan, arrangement or proposal is discussed, unless his presence is required by the other Directors for the purpose of eliciting information, and shall not vote thereon :

Provided that, a Director shall not be deemed to be concerned or interested as aforesaid by reason only of his being a share-holder of a company concerned in any such contract, loan, arrangement or proposal.

Removal of Director

22-G (1) If a Director

(a) becomes subject to any of the disqualifications mentioned in section 22-D, or

(b) tenders his resignation in writing to, and such resignation is accepted by, the Government, or

(c) is absent without the Corporation's permission from three consecutive meetings of the Corporation, or from all meetings of the Corporation for three consecutive months, or

(d) is convicted of an offence involving moral turpitude,

he shall cease to be a Director of the Corporation.

(2) The Government may by order suspend from office for such period as it thinks fit, or remove from office any Director of the Corporation, who in its opinion-

(a) has refused to act, or

(b) has become incapable of acting, or

(c) has so abused his position as Director as to render his continuance on the Corporation detrimental to the interest thereof or of the general public, or

(d) is otherwise unfit to continue as a Director.

Filling of Vacancy

22-H Any vacancy of a Director of the Corporation shall be filled as early as practicable, and in like manner as if the nomination were being made initially:

Provided that, during any such vacancy the continuing Directors may act as if no vacancy had occurred.

Government to appoint person to act as director in certain cases

22-I (1) If the Chairman or any other Director of the Corporation is by reason of illness or otherwise rendered temporarily incapable of carrying out his duties, or is granted leave of absence by the Government, or is otherwise unable to attend to his duties in circumstances not involving the cessation of his directorship under section 22-G, the Government may appoint another person to act in his place and carry out duties and functions entrusted to him by or under this Chapter until such Chairman or Director, as the case may be, resumes his duties.

(2) If a Vice-Chairman has been appointed in the absence of the Chairman, the Vice-Chairman shall be competent to carry out the duties and functions of the Chairman.

- Defect not to invalidate proceedings** **22-J** No disqualification of, or defect in the appointment of any person acting as the Chairman or Vice-Chairman or a Director of the Corporation, shall vitiate any act or proceeding of the Corporation, if such act or proceeding is otherwise in accordance with the provisions of this Chapter.
- Managing Director and Chief Accounts Officer** **22-K** (1) The Government shall appoint a Managing Director, and a Chief Accounts Officer of the Corporation
 (2) The Corporation may appoint such other officers and servants, subordinate to the officers mentioned in sub-section (1), as it considers necessary for the efficient performance of its duties and functions.
 (3) The conditions of appointment and service of the officers and servants and their scales of pay shall—
 (a) as regard the Managing Director and the Chief Accounts Officer be such as may be prescribed, and
 (b) as regards the other officers, and servants, be such as may be determined by regulations
- Functions of Corporation** **22-L** The functions of the Corporation shall be—
 (i) generally to promote and assist in the rapid and orderly establishment, growth and development of Industries in the Union Territory of Jammu & Kashmir, and
 (ii) in particular and without prejudice to the generality of clause (i) to—
 (a) establish and manage industrial estates at place selected by the Government;
 (b) develop industrial area selected by the Government for the purpose and make them available for undertakings to establish themselves;
 (c) develop land on its own account of for the Government for the purpose of facilitating the location of industries and commercial centers thereon;
 (d) assist financially by loans industries to move their factories into such estates or areas;
 (e) undertake schemes for providing industrial units and commercial establishments with such structures and facilities as may be necessary for their orderly establishment, growth and development;
 (f) promote, organize, sponsor or undertake schemes or works, either jointly with other corporate bodies or institutions, or with Government or local authorities, or on an agency basis, in furtherance of the purposes for which the Corporation is established and all matters connected there with.
- Powers of Corporation** **22-M** Subject to the provisions of this Chapter, the Corporation shall have power—
 (a) to acquire and hold such property, both movable and immovable as the Corporation may deem necessary for the performance of any of its activities, and to lease, sell, exchange or otherwise transfer any property held by it on such conditions as may be deemed proper by the Corporation;

- (b) to purchase by agreement or to take on lease or under any form of tenancy any land, to erect such buildings and to execute such other works as may be necessary for the purpose of carrying out its duties and functions;
- (c) to provide or cause to be provided amenities and common facilities in industrial estates, commercial centers and industrial areas and construct and maintain or cause to be maintained works, buildings, amenities and common facilities thereof;
- (d) to make available buildings on hire or sale to industrialists or persons intending to start industrial undertakings or commercial establishments or both the industrial undertakings and commercial establishments;
- (e) to construct buildings for the housing of the employees of such industries or commercial establishments.;
- (f) (i) to allot factory sheds or such buildings or parts of buildings, including residential tenements to suitable persons in the industrial estates established or the industrial areas developed by the Corporation;
- (ii) to allot shops and other buildings to suitable persons in commercial centers established by the Corporation ;
- (iii) to modify or rescind such allotments, including the right and power to evict the allottees concerned on breach of any of the terms or conditions of their allotment;
- (g) to constitute committees from amongst its Directors to perform any of its functions;
- (h) to constitute advisory committees to advise the Corporation;
- (i) to engage suitable consultants or persons having special knowledge or skill to assist the Corporation in the performance of its functions;
- (j) to delegate any of its powers generally or specially to any of its committees or officers and to permit them to re-delegate specific powers to their subordinates;
- (k) to enter into and perform all such contracts as it may consider necessary or expedient for carrying out any of its functions; and
- (l) to do such other things and perform such acts as it may think necessary or expedient for the proper conduct of its business and the carrying into effect the purposes of this Chapter.
- (m) Notwithstanding anything contained in any other law in force, the powers under Jammu and Kashmir Town Planning Act, 1963, Jammu and Kashmir Municipal Act, 2000 and Jammu and Kashmir Municipal Corporation Act, 2000 shall be exercised by the Corporation wherever necessary.

Authentication of Documents etc.

22-N All permissions, orders, decisions, notices and other documents of the Corporation shall be authenticated by the signature of the Managing Director of the Corporation or any other Officer authorized by the Corporation in this behalf.

Power of Government to Issue Directions	22-O The Government may from time to time issue to the Corporation such general or special directions of policy as it thinks necessary or expedient for the purposes of carrying out the purpose of this Chapter and the Corporation shall be bound to follow and act upon such directions.
Finance, accounts and audit.	22-P All property funds and other assets vesting in the Corporation shall be held and applied by it, subject to the provisions of and for the purposes of this Chapter.
Funds	<p>22-Q (1) The Corporation shall have and maintain its own funds, to which shall be credited-</p> <ul style="list-style-type: none"> (a) all moneys received by the Corporation from the Government by way of grants, subventions, loans, advances or otherwise; (b) all fees, costs and charges received by the Corporation under this Chapter; (c) all moneys received by the Corporation from the disposal of lands, buildings and other properties, movable and immovable and other transactions; (d) all moneys received by the Corporation by way of rents and profits or in any other manner or from any other source. <p>(2) The Corporation may keep in current or deposit account with the State Bank of India or any other Bank approved by the Government in this behalf such sum of money out of its fund as may be prescribed and any money in excess of the said sum shall be invested in such manner as may be approved by the Government.</p> <p>(3) Such account shall be operated upon by such officers of the Corporation as may be authorized by regulations.</p>
Grants, Loans and Advances to the Corporation	22-R The Government may make such grants, subventions, loans and advances to the Corporation as it may deem necessary for the performance of the functions of the Corporation under this Chapter and all grants, subventions, loans and advances made shall be on such terms and conditional as the Government may after consulting the Corporation determine.
Power to Borrow Money	<p>22-S (1) The Corporation may, subject to such conditions as may be prescribed in this behalf, borrow money in the open market or otherwise with a view to providing itself with adequate resources.</p> <p>(2) All moneys borrowed under sub-section (1) may be guaranteed by the Government as to the repayment of principal and the payment of interest at such rates and such conditions as the Government may determine at the time the moneys are borrowed,</p> <p><i>Explanation.</i>—The expression "to borrow money" with all its grammatical variations and cognate expressions includes, acceptance of deposits (not being deposits accepted under section 22-T) from the public for a specified period and on payment of interest thereon to the depositors at specified rates.</p>
Accepting of Deposits	22-T The Corporation may accept deposits on such conditions as it deems fit from persons, authorities or institutions to which allotment or sale of land, buildings or sheds is made or is likely to be made in furtherance of the objects of this Act.

**Reserve and Other
Specially Denominated
Funds**

22-U (1) The Corporation shall make provision for such reserve and other specially denominated funds and in such manner and to such extent as the Government may, from time to time, direct.

(2) The management of the funds referred to in sub-section (1), the sums to be transferred from time to time to the credit thereof and the application of money comprised therein, shall be determined by the Corporation.

(3) None of the funds referred to in sub-section (1) shall be utilized for any purpose other than that for which it was constituted, without the previous approval of the Government.

**Authority to spend
Sums**

22-V (1) The Corporation shall have the authority to spend such sums as it thinks fit for the purposes authorized under this Chapter from out of the general fund of the Corporation referred to in section 22-R or from the reserve and other funds referred to in section 22-V, as the case maybe.

(2) Without prejudice to the generality of the power conferred by sub-section (1), the Corporation may contribute such sums as it thinks fit towards expenditure incurred or to be incurred by any local authority or statutory public undertaking in the performance, in relation to any of its industrial estates or industrial areas, of any of the statutory functions of such authority or undertaking, including expenditure incurred in the acquisition of land.

(3) No expenditure other than capital expenditure shall be incurred by the Corporation out of moneys borrowed or received by way of deposits.

**Annual Financial
Statements**

22-W (1) The Corporation shall, by such date in each year as may be prescribed, prepare and submit to the Government for approval an annual financial statement and the programme of work for the succeeding financial year.

(2) The annual financial statement shall show the estimated receipts and expenditure during the succeeding financial year in such form and detail as may be prescribed.

(3) With the approval of the Government the Corporation shall be competent to make variations in the programme of work in the course of the year :

Provided that all such variations and reappropriations out of the sanctioned budget are brought to the notice of the Government by a supplementary financial statement.

(4) A copy each of the annual financial statement and the programme of work and the supplementary financial statement, if any, on submission to the Government as soon as may be, shall be placed before the Legislature.

Books of Account

22-X (1) The Corporation shall maintain books of account and other books in relation to its business and transactions in such form and in such manner, as may be prescribed.

(2) The accounts of the Corporation shall be audited by an auditor appointed by the Government, in consultation with the Comptroller and Auditor General of India.

(3) As soon as the accounts of the Corporation are audited, the Corporation shall send a copy thereof together with the copy of the report of the auditor thereon to the Government.

(4) The Government shall cause the accounts of the Corporation together with the audit report thereon forwarded to it under sub-section (3) to be laid annually before the Legislature.

- Audit of Accounts** **22-Y** (1) Notwithstanding anything contained in section 22-X, the Government may order that there shall be concurrent audit of the accounts of the Corporation by such person as it thinks fit. The Government may also direct a special audit to be made by such person as it thinks fit of the accounts of the Corporation relating to any particular transaction or class or series of transactions or to a particular period.
- (2) The Government may pass such orders on the report of the special audit and the Corporation shall be bound to comply with such order.
- (3) The report on the special audit shall be laid before the Legislature of the Union Territory of Jammu & Kashmir.
- (4) When an order is made under sub-section (1), the Corporation shall present or cause to be presented for audit such accounts and shall furnish to the person appointed under sub-section (1) such information as the said person may require for the purpose of audit.
- Acquisition and Disposal of Land.** **22-Z** (1) Whenever any land is required by the Corporation for any purpose in furtherance of the objects of this Act, but the Corporation is unable to acquire it by agreement, the Government may, upon an application of the Corporation in that behalf, order proceedings to be taken under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 for acquiring the same on behalf of the Corporation as if such lands were needed for a public Purpose within the meaning of the said Act.
- (2) The amount of compensation awarded and all other charges incurred in the acquisition of any such land shall be forthwith paid by the Corporation and thereupon the land shall vest in the Corporation.
- Land to be Placed at the Disposal of the Corporation** **22-AA** (1) For the furtherance of the objects of this Act, the Government may, upon such conditions as may be agreed upon between it and the Corporation, place at the disposal of the Corporation any lands vested in the Government.
- (2) After any such land has been developed by, or under the control and supervision of the Corporation, it shall be dealt with by the Corporation in accordance, with the regulations made, and directions given by the Government in this behalf.
- (3) If any land placed at the disposal of the Corporation under sub-section (1) is required at any time thereafter by the Government, the Corporation shall replace it at the disposal of the Government upon such terms and conditions as the Government may after consultation with the Corporation determine.
- Supplementary and miscellaneous provisions under this Chapter.** **22-AB** (1) If the Corporation after holding a local inquiry, or upon a report from any of its officers or other information in its possession, is satisfied that the owner /allottee/lessee of any land in an industrial area has failed to provide any amenity in relation to the land which in the opinion of the Corporation ought to be provided or to carry out any development of the land for which permission has been obtained under this Chapter the Corporation may, after giving the owner or allottee or lessee a reasonable opportunity of being heard, serve upon such owner or allottee or lessee a notice requiring him to provide the amenity or carry out the development within such time as may be specified in the notice.
- (2) If any such amenity is not provided or any such development is not carried out within the time specified in the notice the Corporation or may itself provide the amenity or carry out the development or have it provided or carried out through such agency as it deems fit:

Provided that, before taking action under this sub-section, the Corporation shall afford reasonable opportunity to the owner/allottee/lessee of the land to show cause why such action should not be taken.

(3) All expenses incurred by the Corporation or the agency employed by it in providing the amenity or carrying out the development together with interest, at such rate as the Government may by order fix, from the date when a demand for the expenses is made from the owner or allottee or lessee until payment, shall be recoverable by the Corporation from the owner or allottee or lessee.

(4) An owner or allottee or lessee aggrieved by a notice issued to him under sub-section (1) may within a period of sixty days from the date on which the notice is served on him file an appeal to the Administrative secretary of Industry and commerce.

(5) In deciding an appeal under sub-section (4), the Administrative Secretary shall exercise all the powers which a court has and follow the same procedure which a court follows in deciding appeals from a decree or order of an original court under the Code of Civil Procedure, 1908 (5 of 1908).

(6) A decision in such appeal shall be final and conclusive.

**Demolition of
Erection of any
Building in Certain
Cases**

22-AC (1) Where the erection of any building in an industrial estate, commercial centre or industrial area has been commenced, or is being carried on, or has been completed, or any existing building is altered, in contravention of the terms on which such building or the land on which it stands is held or granted under this Chapter to any Officer of the Corporation empowered by it in this behalf may, in addition to any prosecution that may be instituted under this Chapter make an order directing that such erection shall be demolished by the owner/allottee/lessee thereof within such period not exceeding two months as may be specified in the order, and on the failure of the owner/allottee/lessee to comply with the order, the Officer may himself cause the erection to be demolished and the expenses of such demolition shall be recoverable by the Corporation from the owner/allottee/lessee:

Provided that, no such order shall be made unless the owner/allottee/lessee has been given a reasonable opportunity to show cause why the order should not be made.

(2) Any person aggrieved by an order under sub-section (1) may appeal against that order within thirty days from the date thereof to a Committee of the Corporation set up for the purpose by regulations made in this behalf and such Committee may after hearing the parties to the appeal either allow or dismiss the appeal or reverse or vary any part of the order.

(3) The decision of the Committee on the appeal and subject only to such decision the order made by the officer under sub-section (1) shall be final.

**Discontinuation of
Erection of any
Building in Certain
Cases**

22-AD (1) Where the erection of any building in an industrial estate, commercial centre or industrial area has been commenced, or is being carried on, or has been completed, or any existing building is altered, in contravention of the terms on which such building or the land on which it stands is held or granted under this Chapter, any officer of the Corporation empowered in this behalf may, in addition to any prosecution that may be instituted under this Chapter, make an order requiring the building operations in relation to such erection to be discontinued on and from the date of the service of the order.

(2) Where such building operations are not discontinued in pursuance of the requisition under sub-section (1), the Corporation or the officer empowered as aforesaid may require any police officer to remove the person by whom the erection of the building has been commenced and all his

assistants and workmen from the place of the building within such time as may be specified in the requisition, and such police officer shall comply with the requisition accordingly.

(3) After a requisition under sub-section (2) has been complied with, the Corporation or the officer empowered as aforesaid may depute by a written order a police officer or an officer, or employee of the Corporation to watch the place in order to ensure that the erection of the building is not continued.

(4) Any person failing to comply with an order made under sub-section (1) shall, on conviction, be punished with fine, which shall not be less than five thousand rupees, but may extend to ten thousand rupees, during which such non-compliance continues after the service of the order.

(5) No compensation shall be claimable by any person for any damage or loss which he may sustain in consequence of any order made under this section.

(6) The cost of employing any police officer under this section shall initially be borne by the Corporation but it shall be recoverable from the person who failed to comply with an order made under sub-section (1).

Penalties

22-AE (1) Any person who whether at his own instance or at the instance of any other person undertakes or carries out construction of or alterations to any building in an industrial estate or industrial area contrary to the terms under which he holds such building or land under this Chapter shall, on conviction, be punished with fine, which shall not be less than five thousand rupees, but may extend to ten thousand rupees.

(2) Any person who uses any land or building in an industrial estate or industrial area contrary to the terms under which he holds such land or building under this Chapter, or in contravention of the provisions of any regulations made in this behalf shall, on conviction, be punished with fine, which shall not be less than five thousand rupees, but may extend to ten thousand rupees.

Other Powers of Corporation

22-AF (1) (a) For the purpose of,—

(i) use of water sources, carrying gas, water or electricity within any area taken up for development under sub-clause (b) of clause (ii) 22-M (herein after referred to as "the said area"); or

(ii) constructing any sewers or drains necessary for carrying off workings and waste liquids of an industrial process through the said area,

the Corporation may, after giving reasonable notice to the owner or occupier of any building or land in the said area, lay down, place, maintain, alter, remove, or repair any pipes, pipelines, conduits, supply or service lines, posts other appliances or apparatus in, on, under, over, along or across any land in the said area.

(b) For the purpose of,—

(i) carrying gas, water or electricity from a source of supply to an industrial estate, commercial centre or industrial area, such source of supply being in an area outside such estate, centre or area (hereinafter referred to as "an outside area"); or

- (ii) constructing any sewers or drains necessary for carrying off workings and waste liquids of an industrial process to or through an outside area,

any person empowered in this behalf by the Government by notification in the Government Gazette (hereinafter referred to as "the authorized person"), may after giving reasonable notice to the owner or occupier of any building or land in the outside area, lay down, place, maintain, alter, remove or repair any pipes, pipelines, conduits, supply or service-lines, posts or other appliances or apparatus in, on, under, over, along or across any land in the outside areas.

(2) The Corporation or as the case may be, the authorized person may at any time enter upon any land in any such area and in such event the provisions of section 22- AG shall mutatis mutandis apply.

(3) While exercising the power conferred by sub-section (1), the Corporation or the authorized person shall—

- (i) where the land affected is a street, bridge, sewer, drain or tunnel, comply mutatis mutandis with the relevant provisions of the Gas Companies Act, 1863, notwithstanding the fact that the Act is not in force in the area or that the Government, has not issued a notification extending such provisions to such land;

- (ii) cause as little damage as possible to property,

Compensation to all persons interested for extinguishment or modification of rights in property and any damage sustained by them in consequence of the exercise of such powers as aforesaid shall be paid by the Corporation irrespective of whether the area is the said area or the outside area :

Provided that the amount of compensation in lump sum or in the form of annual rent according as the circumstances of the case may require shall be fixed and where necessary apportioned by the Collector in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

(4) Nothing herein shall authorize or empower the Corporation or the authorized person to lay down or place any pipe or other works into, through or against any building or in any land not dedicated to public use without the consent of the owners and occupiers thereof, except that the Corporation or such person may at any time enter upon and lay or place any new pipe in place of an existing pipe in any land wherein any pipe has been already lawfully laid down or placed in pursuance of this Chapter and may repair or alter any pipe so laid down.

Provided that, nothing in the aforesaid provision shall be construed to mean that the Corporation or other person is forbidden from having the said land acquired at any time by the Government in the normal course.

(5) (a) Where the owner or the occupier of any building or land does not reply in writing to the Corporation or the authorized person within a period of fifteen days from the date on which the consent referred to in sub-section (4) is sought, or refuses to give such consent to laying down or placing any pipe or other works into, through or against such building the Corporation or the authorized person shall forthwith make a report in writing of the fact to the Collector.

(b) On receipt of the report, if the Collector, after making any inquiry and after giving the owner and the occupier of such building or land, as the case

may be, an opportunity of stating his objection to give such consent is satisfied that for ensuring the full and efficient development of the industrial estate, commercial centers, or as the case may be, industrial area it is necessary to permit the Corporation or the authorized person to lay down or place any pipe or other works into, through or against the building or in the land as contemplated by the Corporation or the authorized person, the Collector shall, notwithstanding anything contained in sub-section (4) by an order in writing, grant the requisite permission to the Corporation or the authorized person.

(c) When such permission is granted, it shall be lawful for the Corporation or the authorized person to lay down or place any pipe or other works into, through or against such building or in such land, as if the necessary consent under subsection (4) has been given.

Power to Enter into/or upon any Land or Building

22-AG Any officer of the Government, any Director of the Corporation and any person either generally or specially authorized by the Corporation in this behalf, may enter into or upon any land or building with or without assistant or workmen for the purpose of—

- (a) making any inspection, survey, measurement, valuation or enquiry or taking levels of such land or buildings;
- (b) examining works under construction and ascertaining the course of sewers and drains;
- (c) digging or boring into the sub-soil;
- (d) setting out boundaries and intended lines of work;
- (e) marking such levels, boundaries and lines by placing marks and cutting trenches;
- (f) doing any other thing necessary for the efficient administration of this Chapter: Provided that, -
 - (i) no such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier, or if there be no occupier, to the owner of the land or building;
 - (ii) sufficient opportunity shall in every instance be given to enable women (if any) to withdraw from such land or building;
 - (iii) due regard shall always be had, so far as may be compatible, with the exigencies of the purpose for which the entry is made, to the social and religious usages of the occupants of the land or building entered.

Controller or Licensing Authority

22-AH The Government may, by notification in the Government Gazette, nominate any officer of the Corporation to be a controller or licensing authority under any law for the time being in force relating to the procurement or distribution of any commodity in respect of the industrial undertakings or commercial establishments established or to be established in the industrial estates, commercial centers or industrial areas entrusted to or developed by the Corporation and no such nomination shall be called in question merely on the ground that such officer is not an officer of the Government.

Amenity

22-AI Notwithstanding anything contained in any other law, or in any license or permit, if the Government is satisfied either on a recommendation

made in this behalf by the Corporation or otherwise, that these thing up to industrial undertaking or a commercial establishment within an industrial area or outside is impeded by a local authority's refusal to grant, or by such authority's insistence on conditions, which the Government considers unreasonable for the grant of any amenity, the Government may direct the local authority to grant the said amenity on such conditions as it considers fit and there upon the amenity shall be granted;

Provided that, the charge to be paid for granting or continuing such amenity to the local authority concerned is not less than the cost to the local authority or licensee concerned for providing such amenity:

Provided further that, no such direction shall be made by the Government unless the local authority shall have been given a reasonable opportunity to show cause why any such direction should not be made.

Lease of Land

22-AJ Where any land is leased by the Corporation, the lessee shall, pay to the Corporation before such date or dates as may be prescribed, an amount equal to the land revenue, rent, cesses, rates, and other taxes, if any, payable in respect of such land, which would have been payable by the Corporation had the land not been leased.

Mode of Recovery

22-AK All sums payable by any person to the Corporation or recoverable by it by or under this Chapter and all charges or expenses incurred in connection therewith shall, without prejudice to any other mode of recovery, be recoverable as an arrear of land revenue on the application of the Corporation.

**Service of Notice
etc.**

22-AL (1) All notices, orders and other documents required by this Chapter, or any rule or regulation made there under to be served upon any person shall save as otherwise provided in this Chapter or such rule or regulation, be deemed to be duly served-

(a) where the person to be served is a company the service is effected in accordance with the provisions of section 20 of the Companies Act, 2013 ;

(b) where the person to be served is a firm, if the document is addressed to the firm at its principal place of business, identifying it by the name or style under which its business is carried on, and is either—

(i) sent under a certificate of posting or by registered post, or

(ii) left at the said place of business;

(c) where the person to be served is a statutory public body or a Corporation or a society or other body, if the document is addressed to the secretary, treasurer or other head officer of that body, corporation or society at its principal Office, and is either—

(i) sent under a certificate of posting or by registered post, or

(ii) left at that office;

(d) in any other case, if the document is addressed to the person to be served and—

(i) is given or tendered to him, or

(ii) if such person cannot be found, is affixed on some conspicuous part of his last known place of residence or business or is given or tendered to some adult member of his family or is affixed on some conspicuous part of the land or building to which it relates;

(iii) is sent under a certificate of posting or by registered post to that person.

(2) Any document which is required or authorized to be served on the owner or occupier of any land or building may be addressed "the owner" of "the occupier" as the case may be, of that land or building (naming that land or building) without further name or description, and shall be deemed to be duly served—

(a) if the document so addressed is sent or delivered in accordance with clause (d) of sub-section (1); or

(b) if the document so addressed or a copy thereof so addressed, is given or tendered to some person on the land or building or, where there is no person on the land or building to whom it can be delivered is affixed to some conspicuous part of the land or building.

(3) Where a document is served on a firm in accordance with this section, the document shall be deemed to be served on each partner

(4) For the purpose of enabling any document to be served on the owner of any property, the occupier (if any) of the property may be required by notice in writing by the Government or the Corporation, as the case may be, to state the name and address of the owner/allottee/lessee thereof.

Public Notice to be in Writing

22-AM Every public notice given under this Chapter or any rule or made there under shall be in writing over the signature of the officer concerned and shall be widely made known in the locality to be affected thereby by affixing copies thereof in conspicuous public places, within the said locality, or by publishing the same by beat of drum or by advertisement in a local newspaper, or by any two or more of these means, and by other means as the officer may think fit.

Prescribing of Time Under Notice

22-AN Where any notice, order or other document issued or made under this Chapter or any rule or regulation made there under requires anything to be done for the doing of which no time is fixed in this Chapter or the rule or regulation, the notice, order or other document shall specify a reasonable period of time for doing the same or complying therewith;

Duty of Corporation to Furnish Returns etc. to Government

22-AO (1) The Corporation shall furnish to the Government such returns, statistics, reports, accounts and other information with respect to its conduct of affairs, properties or activities or in regard to any proposed work or scheme as the Government may from time to time require.

(2) The Corporation shall in addition to the audit report referred to in section 22- X furnish to the Government an annual report on its working as soon as may be after the end of each financial year in such form and detail as may be prescribed, and a copy of the annual report shall be placed before the Legislature as soon as may be after it is received by the Government.

Power of Government to Exclude Industrial Estate from the

22-AP (1) Where the Government is satisfied that in respect of any particular industrial estate, commercial centre or industrial area, or any part thereof, the purpose for which the Corporation was established under this Chapter has been substantially achieved so as to render the continued

Jurisdiction of Corporation

existence of such estate, centre or area or part thereof under the Corporation unnecessary, the Government may, by notification in the Government Gazette, declare that or such industrial estate, commercial centre or industrial area or part thereof has been removed from the jurisdiction of the Corporation. Thereupon the Government may after consulting the Corporation pass such orders in respect of consequential financial arrangements with the Corporation, and the transfer or apportionment of any assets and liabilities of the Corporation as it may deem fit.

(2) The Government may also make such other incidental arrangements for the administration of such estate, centre or area or part thereof as the Government thinks fit.

Power of Government in Case of Default by the Corporation

22AQ (1) If the Government after giving the Corporation an opportunity to render an explanation is satisfied that the Corporation has made a default in performing any duty or obligation imposed or cast on it by or under this Chapter the Government may fix a period for the performance of that duty or obligation and give notice to the Corporation accordingly.

(2) If in the opinion of the Government the Corporation fails or neglects to perform such duty or obligation within the period so fixed for its performance, it shall be lawful for the Government, after having given the Corporation to show cause against such order, by order supersede the Corporation and thereafter reconstitute the Corporation, as it deems fit.

(3) After the supersession of the Corporation and until it is reconstituted in the manner laid down in Chapter, the powers, duties and functions of the Corporation under this Chapter shall be carried on by the Government or by such officer or officers or body of officers as the Government may appoint for this purpose from time to time, and the cost thereof shall be met from the funds of the Corporation.

(4) All property vested in the Corporation shall, during the period of supersession, vest in the Government.

Dissolving of Corporation

22-AR (1) The Government if satisfied that the purposes for which the Corporation was established under this Chapter have been substantially achieved so as to render its continuance unnecessary, it may by notification in the Government Gazette declare that the Corporation shall be dissolved with effect from such date as may be specified in the notification, and thereupon the Corporation shall stand dissolved accordingly.

(2) From the said date referred to in sub-section (1),—

(a) all properties, funds and dues which are vested in, or realizable by, the Corporation shall vest in, or be realizable by, the Government; and

(b) all liabilities which are enforceable against the Corporation shall be enforceable against the Government.

No Court to take Cognizance of any Offence under this Chapter

22-AS Unless otherwise expressly provided no Court shall take cognizance of any offence relating to property belonging or vested by or under this Chapter in the Corporation punishable under this Chapter, except on the complaint of, or upon information received from the Corporation or some person authorized by the Corporation by general or special order in this behalf.

Compounding of Offence

22-AT (1) The Corporation or any person authorized by the Corporation by general or special order in this behalf may, either before or after the institution of the proceedings compound any offence made punishable by or under this Chapter.

(2) Where an offence is compounded the offender, if in custody shall be discharged and no further proceedings, shall be taken against him in respect of the offence compounded.

**Offence Committed
by Company**

22-AU (1) Whenever an offence under this Chapter has been committed by a company, every person who at the time the offence was committed was in charge of, or was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that, nothing contained in this sub-section shall render any such person liable to any punishment under this Chapter if he proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Chapter has been committed by a company and it is proved that the offences has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation—For the purposes of this section—

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director" in relation to a firm, means a partner in the firm.

**Penalty for
Obstruction of
Entry of an
Authorized Person**

22-AV Any person who obstructs the entry of a person authorized under section 22-AG to enter into or upon any land or building or molests such person after such entry or who obstructs the lawful exercise by him of any power conferred by or under this Chapter shall; on conviction, be punished with imprisonment for a term which may extend to six months, or with fine, which shall not be less than five thousand rupees, but may extend to ten thousand rupees.

**Penalty for
Obstruction or
Molestation of any
Person with whom
the Corporation
has entered into
Contract**

22-AW If any person obstructs or molests any person with whom the Corporation has entered into a contract in the performance or execution by such person of his duty or of anything which he is empowered or required to do under this Chapter he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine, which shall not be less than five thousand rupees, but may extend to ten thousand rupees.

**Penalty for
Removal of any
Mark**

22-AX If any person removes any mark set up for the purpose of indicating any level, boundary line or direction necessary to the execution of works authorized under this Chapter, he shall, on conviction, be punished with imprisonment for a term which may extend to three months or with fine, which shall not be less than five thousand rupees, but may extend to ten thousand rupees.

**Penalty for
Obstruction of the
Lawful Exercise of
any Power**

22-AY Any person, who obstructs the lawful exercise of any power conferred by or under this Chapter shall, on conviction, be punished with fine, which shall not be less than five thousand rupees, but may extend to ten thousand rupees.

**Power to make
Rules**

22-AZ (1) The Government, after consultation with the Corporation in regard to matters concerning it, may, by notification in the Government Gazette, make rules to carry out the purposes of this Chapter:

Provided that, consultation with the Corporation shall not be necessary on the first occasion of the making of rules under this section, but the Government shall take into consideration any suggestions which the Corporation may make in relation to amendment of such rules after they are made.

(2) In particular and without prejudice to the generality, of the foregoing power such rules may provide for all matters expressly required or allowed by this Chapter to be prescribed by rules and fees which may be charged by the Corporation.

(3) All rules made under this section shall be laid for not less than thirty days before the Legislature as soon as possible after they are made and shall be subject to rescission by the Legislature, or to such modification as the Legislature may make, during the session in which they are so laid, or the session immediate following.

(4) Any rescission or modification so made by the Legislature shall be published in the Government Gazette and shall thereupon take effect.

Power to make Regulations

22-AAA (1) The Corporation may, with the previous approval of the State Government make regulations consistent with this Act and the rules made there under, and to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power such regulations may provide for all matters expressly required or allowed by this Act to be provided by regulations.

(3) All rules made under this section shall be published in the Official Gazette and shall be laid for not less than thirty days before the State Legislature as soon as possible after they are made, and shall be subject to rescission by the Legislature, or to such modification as the Legislature may make, during the session in which they are so laid, or the session immediately following.

(4) Any rescission or modification so made by the State Legislature shall be published in the Official Gazette and shall thereupon take effect.

Act done in Good Faith

22-AAB No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Chapter or any rule or regulation made there under.

Requirement of Prior Notice for Filing of Suit

22-AAC (1) No person shall commence any suit against the Corporation or against any officer or servant of the Corporation or any person acting under the orders of the Corporation for anything done or purporting to have been done in pursuance of this Chapter, without giving to the Corporation, officer or servant or person, as the case may be, two months' previous notice in writing of the intended suit and of the cause thereof, not after six months from the date of the act complained of.

(2) In the case of any such suit for damages if tender of sufficient amount shall have been made before the action was brought, the plaintiff shall not recover more than the amounts so tendered and shall pay all costs incurred by the defendant after such tender.

Public Servants

22-AAD All Directors, officers and servants of the Corporation shall, when acting "or purporting to act in pursuance of any of the provisions of this Chapter be deemed to be public servants within the meaning of section 21 of the Indian Penal Code (45 of 1860).

Overriding Effect

22-AAE The provisions of this Chapter shall have effect notwithstanding anything inconsistent therewith contained in any other law.

- Power to Remove of Difficulties** **22-AAF** If any doubt or difficulty arises in giving effect to the provisions of this Chapter the Government may, by order, make provision or give such direction not in consistent with the express provisions of this Chapter as may appear to it to be necessary or expedient for the removal of the doubt or difficulty, and the order of the Government, in such cases, shall be final.
- Section 24.-** (i) In sub-section (1), for “Rs 5,000/-” and “Rs 200/-”, substitute respectively “Rs 50,000/-” and “Rs 2000/-”;
- (ii) in sub-section (2), for “Rs 3000/-” and “Rs 150/-”, substitute respectively “Rs 30,000/-” and “Rs 1,500/-”;
- (iii) in sub-section (3), for “Rs 1,000/-”, substitute “Rs 10,000/-”.
- Section 26.-** In sub-section (4), for “two hundred rupees”, substitute “two thousand rupees”.
- Section 31.-** Omit “on terms and conditions agreed upon between the Authority and that local authority or the department, as the case may be”.
- Section 34. –** (i) in sub-section (2), for “the Code of Civil Procedure 1977”, substitute “the Code of Civil Procedure, 1908 (5 of 1908)”; and
- (ii) in sub-section (6), for “Arbitration Act, Svt. 2002”, substitute Arbitration and Conciliation Act, 1996 (26 of 1996)”.
- Section 43. –** For “Ranbir Penal Code”, substitute “Indian Penal Code (45 of 1860)”.
- Section 45. –** For “section 32 of Code of Criminal Procedure, 1989”, substitute “section 29 of the Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 49. –** In clause (c), for “the Jammu and Kashmir State Canal and Drainage Act, Svt. 1963”, substitute “the Jammu and Kashmir Water Resources (Regulation and Management) Act, 2010”.

8. THE JAMMU AND KASHMIR FLOOD PLAIN ZONES (REGULATION AND DEVELOPMENT) ACT (XVII of 2005)

Repeal as a whole.

9. THE JAMMU AND KASHMIR LAND GRANTS ACT (XXXVIII of 1960)

Throughout the Act, for “State” and “Government” substitute “Union territory of Jammu and Kashmir” and “Government of the Union territory of Jammu and Kashmir” respectively.

- Section 1. -** In sub-section (2), for “State of Jammu and Kashmir” substitute “Union territory of Jammu and Kashmir”.
- Section 2. -** Substitute the following:
 “2.This Act shall apply to whole of the Union territory of Jammu and Kashmir.”
- Section 4.-** (i) in sub-section (1):-
- (a) substitute “may grant land on lease” with “may make rules for grant of land on lease”;;
- (b) omit first and last proviso;
- (c) in fourth proviso substitute “Government Order sanctioning” with “Order of the competent authority sanctioning”

- (ii) in sub-section (2), omit clause (i).
- (iii) after sub-section (2), add the following sub-section namely;

“(3) The Government may notify the competent authority or authorities for granting lease under sub-section (1) to different categories of persons for such purposes and in such areas as may be specified. Subject to the general and specific direction of the Government, the competent authority so notified shall grant the land on lease subject to the rules notified under sub-section (1) and also subject to land use defined under the Master Plan, Zonal Plan or Regional Plan by development authority prescribed under the Development Act, 1970 and Land Revenue Act Samvat 1996 as the case may be.”

Section 11. - For “Transfer of Property Act, Svt. 1977”, substitute “Transfer of Property Act, 1882 (4 of 1882)”.

10. THE JAMMU AND KASHMIR LAND IMPROVEMENT SCHEMES ACT (XXIV of 1972)

Repeal as a whole.

11. THE JAMMU AND KASHMIR LAND REVENUE ACT (XII of Samvat 1996)

Throughout the Act, for “Government of Jammu and Kashmir”, “Government Gazette” and “State”, wherever occurring, substitute “Government of the Union territory of Jammu and Kashmir”, “Official Gazette” and “Union territory” respectively.

Section 1.- In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Jammu and Kashmir”.

- Section 3.-** (i) Before the existing clause (1), insert -
- “(1) “Agricultural land” means land which is used or is capable of being used for the agriculture and allied activities including fallow land;
 - (2) “Agriculture and Allied Activities” shall mean raising of crops including food and non-food crops, fodder or grass; fruits and vegetables, flowers, any other horticultural crops and plantation; animal husbandry and dairy; poultry farming, stock breeding; fishery; agro forestry, agro-processing and other related activities by farmers and farmer groups;
 - (3) “Board” means “Board of Revenue”, constituted under this Act;
 - (4) “Competent Authority” means the Tehsildar or a Revenue Officer of equal rank;
- (ii) re-number existing clause (1) as clause (5) and after clause(5) so renumbered, insert-
- “(6) “Government” means the Government of the Union territory of Jammu and Kashmir.”;
- (iii) re-number the existing clauses (2) and (3) as clauses (7) and (8) and in the clause (8) as so renumbered, for “a tenant”, substitute “an occupant”.
- (iv) re-number existing clause (4) as clause (9) and after clause (9) as so renumbered, insert-
- “(10) “Regional Plan” means the land use plan notified by the Competent Authority for the areas falling out of local area notified under the Development Act 1970.”;

- (v) omit existing clause (5), and renumber existing clauses (6), (7), (8), (9), (10), (11) and (12) as clauses (11), (12), (13), (14), (15), (16) and (17) respectively;
- (vi) in sub-clause (a) of clause (14) so renumbered, for “section 56 of the Jammu and Kashmir State Canal and Drainage Act, 1963”, substitute “Jammu and Kashmir Water Resources (Regulation and Management) Act, 2010”;
- (vii) after clause (17) so renumbered, insert-
- “(18) “Occupant” means the person under occupation of the land as protected tenant or occupancy tenant as defined under the repealed Tenancy Act or otherwise in authorized cultivation of the land.”;
- (viii) omit existing clause (13); renumber clause (14) as clause (19) and for the opening paragraph of clause (19) as so renumbered substitute-
- “(19) “Agricultural year” means the year notified by the Board from time to time for different areas:” ;
- (ix) re-number existing clauses (15), (16), (17) and (18) as clauses (20), (21), (22) and (23) respectively;
- (x) after clause (23) so renumbered, insert:-
- “(24) “Water channel”, “Water Course” and “Water Source” referred to in this Act shall have the same meaning as defined in the Jammu and Kashmir Water Resources (Regulation and Management) Act, 2010.

Insertion of new Section 5 A-

After section 5, insert-

Board**of Revenue.**

“5A.(1) There shall be a Board of Revenue for the Union territory of Jammu and Kashmir, consisting of following members, namely:-

- (a) Financial Commissioner Revenue shall be the *ex-officio* Chairman; and
- (b) two other members of the rank of Secretary to the Government to be appointed by the Government of the Union territory of Jammu and Kashmir;

(2) Subject to the superintendence, direction and control of the Government, the Board shall be the Chief Controlling Authority regarding all the matters provided in this Act.

Powers and functions of the Board.

5B. —(1) The Board shall—

- (a) exercise, perform and discharge powers, functions and duties conferred upon it by or under this Act or any other law for the time being in force;
- (b) decide all the matters relating to the Acts repealed under section 140, within one year from the Constitution of the Board; and
- (c) perform all the functions entrusted to it by the Government from time to time.

(2) The terms, references and procedure to be followed by the Board shall be such as may be notified by the Government.”

After section 6, insert-

Combination of offices.

“6A. — It shall be lawful for the Government or the authority competent, as the case may be, to appoint one and the same person, being otherwise competent according to law for any two or more of the offices or to confer upon an officer of one denomination all or any of the powers or duties of any other officer or officers within certain local limits or otherwise, as it may deem expedient.”

- Section 8.-** For “Government” substitute “Board”.
- Section 9.-** For “The Financial Commissioner” substitute “The Board, the Financial Commissioner”.
- Section 11.-** For “Code of Civil Procedure, 1977” substitute “Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 12.-** Omit proviso to sub-section (1).
- Section 13.-** In proviso (a) to sub-section (1), after “when” and before “a Divisional Commissioner” insert “the Board”.
- Section 21.-** In sub-clause (i) of clause (a) of sub-section (2), for “tenants or assignees” substitute “occupants”; and after sub-clause (iii), insert-
- “(iv) survey number or plot number held within its area;
(v) type and characteristics of soil;”
- Section 22-A.-** (i) For sub-section (2) substitute -
- “(2) The pass book shall be in such form and valid for such period as may be prescribed and the Board shall strive for preparing, issuing and maintaining the passbooks in digital format, and the Board shall be competent to issue direction for this purpose.”;
- (ii) in sub-section (19), for “twenty hundred rupees”, substitute “twenty thousand rupees”.

Insertion of new Section 23 A-

After section 23, insert-

- Consolidation of Land and prevention of fragmentation of land holdings.** of and of of
- “23-A. —(i) The Board may notify a scheme of consolidation of land holding to be undertaken during the preparation of Record-of-Rights or otherwise for rearrangement of land holdings in a unit amongst several land owners in such a way as to make their respective holdings more compact.
- (ii) With effect from the date on which a landowner enters into possession of the plots allotted to him in pursuance of the provisions of the scheme notified under sub-section (1) the rights, title, interest and liabilities of the former landowner in these plots and his rights, title, interest and liabilities in his original plots shall stand extinguished and shall vest in the occupying land owner, subject to such modifications, if any, specified in the said consolidation scheme.
- (iii) The Board may also bring a scheme of restricting and regulating the fragmentation of agricultural land holdings in the Union territory of Jammu and Kashmir to make the agriculture viable.
- Section 24.-** In the marginal heading, for “assignees of revenue and occupancy tenants” and in sub-section (1) for “an occupancy tenant or a protected tenant” substitute “and occupants” and “an occupant” respectively.
- Section 32.-** (i) In sub-section (1), for “Deputy Commissioner”, substitute “Deputy Commissioner or Additional Deputy Commissioner” and omit “(2 years in the case of Frontier Districts of Gilgit and Ladakh)”.
- (ii) omit sub-section (3).
- Section 101.-** After sub-section (2), insert-
- “(3) (a) The Board subject to such conditions and restrictions and in such manner as may be prescribed, at its own or authorise an officer not below the rank of Collector, to issue license to any person referred to as Licensed Surveyor, possessing the prescribed qualifications and experience as fixed by the Board for the purposes of survey, assessment and settlements of boundaries and connected matters.
- (b) The fee payable to a License Surveyor shall be as prescribed by the Board from time to time.”

- Section 105.-** In the opening paragraph, omit “or any joint tenant of a tenancy in which a right of occupancy or protected tenancy subsists”, “or tenant” and “or tenancy”.
- Section 106.-** In clause (3), for “the land comprised in the tenancy”, “a tenant”, “the tenant” and “that tenancy” substitute respectively “erstwhile tenancy”, “an occupant”, “the occupant” and “that occupancy”.

Insertion of new Chapters-

After Chapter X, insert-

“CHAPTER X-A

LAND LEASING

- Land lease-agreement, termination, rights and responsibilities.** **119-B.** —(1) Notwithstanding anything contained in any other law, the Government may through a notification in the official Gazette, formulate procedures and conditions for leasing in or leasing out of agricultural land for agriculture and allied activities, consistent with the provisions of this Act.

CHAPTER X-B

Regional Planning

- Preparation of Regional Plan by Board.** **119-C.** —(1) Except the “Local Area” as defined under the Development Act 1970, including the areas falling under the Development Authorities constituted under the said Act, the Board shall be the development authority for all land and shall be responsible for preparation of Regional Plan or Plans, as the case may be.

(2) In preparation of Regional Plan or Plans as referred to in subsection(1), the Board shall follow process as mentioned in the Development Act, 1970.

(3) In preparation of the Regional Plan or Plans as referred to in subsection(1), the Board shall have consideration to—

- (i) overall developmental objectives of the Government;
- (ii) development of agriculture in the Union territory;
- (iii) protection of land falling under saffron, orchards, vegetable and other crops as considered necessary by the Board;
- (iv) optimum utilisation of water and other resources;
- (v) protection of ecology, environment and wildlife;
- (vi) impact of climate change and changes required in cropping pattern;
- (vii) requirement of land for developmental purposes including residential;
- (viii) any other objectives as conveyed by the Government to the Board or deemed fit by the Board;

CHAPTER XI

OFFENCES AND PENALTIES

Offences and Penalties.

119-D.—Notwithstanding anything contained in this Act or the rules made thereunder whoever commits any of the offence specified in column (2) of the Table below, shall on conviction by a Judicial Magistrate of first class for each of such offence be punishable with the sentence indicated in column (3) of the said Table, namely:—

Table

S.No.	Offence	Punishment
(1)	(2)	(3)
1.	Whoever cheats and thereby dishonestly creates documents for the purpose of selling, mortgaging or transferring by gift or otherwise of any Government land.	Imprisonment for three years and fine of ten thousand rupees.
2.	Whoever creates a forged document regarding Government land with an intention to use it for that purpose or to grab such land.	Imprisonment for three years and fine of five thousand rupees

Punishment under other laws not barred.

119-E.- Nothing in this Act shall prevent any person from being prosecuted and punished under any other law for the time being in force for any act or omission made punishable by or under this Act:

Provided that no person shall be so prosecuted and punished for the same offence more than once.

Offences by companies.

119-F.—Where an offence under this Act is committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to the company for the conduct of the business of the company as well as the company shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

119-G.The Board shall be competent for upward revision of the fines provided under this Act from time to time.”.

Section 127.- In clause (b), for “land-holders or tenant” substitute “land-holders or occupant”.

Section 128.- In sub-section (1), for “a tenant” substitute “an occupant”.

Section 129.- Omit.

Section 130.- Omit.

Section 131.- Omit.

Section 132.- In sub-section (1), for “rupees two thousand” and “rupees one thousand” , substitute respectively “rupees fifty thousand” and “rupees five thousand”.

Section 133.- (1) For sub-section (2), substitute -

“(2) Prevention of encroachments on or cultivation of common land, or land reserved for public purposes or of which cultivation has been prohibited or is objectionable, or, by person, not entitled to, bring it under cultivation.—

(a) Subject to any law, agreement, custom, usage or any decree or order of any Court or other authority, for the time being in force, every person shall exercise the right of user in respect of any road, street, lane, path, Water Channel, Water Course and Water Source and other common land defined as such in any law or declared as such by the Government or the Board;

(b) The right of user permitted by clause (a) shall not be deemed to include or otherwise confer, create or assign any right of encroachment, whether by means of construction, including fencing, walling or putting any barrier or by breaking up of land, diversion or otherwise.

(2-A) Penalty for denial of or obstruction in the exercise of right or for encroachment.—(a) Where any person is denied, or obstructed in, the lawful exercise of his right of user as provided in subsection (1), or where any person has taken possession of or brought under cultivation or otherwise encroached upon any common land as described above, or when any person, without due authority, has taken possession of land belonging to the Government, a Revenue Officer may, on his own motion or on the application of any person interested and after such enquiry as may be deemed necessary,—

(i) direct the free exercise of the right of user and the removal of the obstruction, where the exercise of such right is found to have been denied or obstructed;

(ii) eject the person who has taken possession of or brought under cultivation or otherwise encroached upon such common land and take possession of such land without paying any compensation for crops or improvements, and may also, by order duly proclaimed, forbid repetition of the encroachment;

(iii) inflict a fine not less than twenty five thousand rupees and as prescribed by Board from time to time, on such person or persons as are found to have denied or obstructed the exercise of the right of user in respect of or to have taken possession of or brought under cultivation or otherwise encroached upon such common land.

(b) Orders of removal of obstruction or ejection under sub-section (3) shall be enforced in the manner provided in the Code of Civil Procedure, 1908 (5 of 1908).

(c) Where the Government land has been encroached upon, the person committing the offence, on conviction by a Judicial Magistrate of first class shall, for each of such offence, be punishable with imprisonment of one year or a fine of not less than twenty-five thousand rupees or both.

(2) Omit sub-sections (4-a), (4-b) and (5).

(3) After sub-section (5), insert -

“(6) In enforcing these orders a Revenue Officer shall have all the powers in regard to contempts, resistance and the like which a Civil Court may exercise in the execution of a decree; and

(7) Any fine, if not paid in cash, shall be recovered as an arrear of land revenue.”

For section 133-A, substitute –

Restriction on conversion of agricultural land and process for permission of non-agriculture use. (NA)

“133-A.—(1) Subject to the procedure notified in sub-section (4), no land used for agriculture purposes shall be used for any non-agricultural purposes except with the permission of the District Collector:

Provided that the permission for conversion of land notified as Saffron Belt shall be made as per procedure prescribed under the Jammu and Kashmir Saffron Act, 2007:

Provided further that holder of any agriculture land may construct a residential house or erect farm building, grain storage, primary processing of agriculture produce, wells or tanks or make any other improvements thereon for residential purpose or agricultural improvement, on intimation to the Tehsildar concerned, however, the plinth area of such building or improvement shall not exceed four hundred Square meters in total:

Provided also that any attempt to convert agriculture land for non-agriculture use by contravening the aforesaid provisos by way of fragmenting the land or otherwise shall be considered violation of the provisions of this Act.

- (2) Notwithstanding anything contained in sub-section (1), an owner or occupant, who wishes to put his agricultural land into non-agricultural uses as provided in the regional plan, development plan or master plan as the case may be, shall do so it after payment of conversion charges as prescribed by the Board from time to time.
- (3) Notwithstanding anything contained in sub-sections (1) and (2), no such permission shall be granted in the areas notified as Eco-sensitive Zone by the Government.
- (4) The Board shall notify detailed procedure, prescribe forms and fix fee for conversion of agriculture land to non-agricultural purpose.”.

Insertion of new Section-

After section 133-B, insert –

Restriction on use of grazing land, etc. and prohibition on transfer

“133-BB. (1) The land which is in the form of grazing land, arak, kap or kah-i-krisham or which grows fuel or fodder and belongs to such class as is notified by the Government shall not be used for any other purpose except with the permission of the District Collector who shall accord permission only in accordance to the regulations notified by the Board :

Provided that such permission shall be deemed to be accorded where land is being acquired permanently or hired temporarily for public purposes under the relevant Act.

Provided further that the transfer of such land or any interest therein shall not be permissible and no documents relating to the transfer of such land shall be admitted to registration;

(2) The Board shall be competent to notify regulations for the purposes of *this section*.”

For section 133-C, substitute –

Land converted in violation to escheat to Government

“133-C. (1) Any land converted for other purposes in violation of the provisions of section 133-A or section 133-B or 133-BB shall escheat to the Government.”

(2) The Collector or any other officer as he may authorise, may direct such person to remove the contravention and restore the land or water-surface or water field or floating field, as the case may be, to its original condition by a particular date and if such person fails to do so, within the prescribed time, the Collector or such officer may, remove or cause to be removed the contravention and in doing so, may use such force as may be necessary and impose the cost of restoration thereof on the violator.

(3) Without prejudice to the provisions of sub-section (1) or sub section (2), the person found to have contravened the provisions of section 133-A or section 133-B or Section 133-BB, shall be punishable by the Collector or any officer not below the rank of an Assistant Collector of the first class as may be authorised by him with penalty which may extend to twenty-five thousand rupees and till such time such contravention is removed he shall be punished further with a penalty of five thousand rupees for each day during which the contravention continues.

(4) (a) Any person aggrieved by an order made under section 133-C or section 133-D, may prefer an appeal to the Divisional Commissioner within a period of thirty days from the date the order is passed.

(b) An appeal under clause (a) shall not operate as a stay of the proceedings under an order appealed from.

(5) Notwithstanding anything contained in any other law for the time being in force, nothing done or purporting to have been done by the Collector, or the officer authorised by him in this behalf, under sections 133-A, 133-B, 133-BB or 133-C shall be called in question in any Court and no Court shall entertain any suit or proceeding or grant any injunction with respect to any action or thing or any matter for which a proceeding has been taken under the said provisions.

Sections 133-D.- For “five thousand rupees” and “five hundred rupees”, substitute “twenty-five thousand rupees” and “five thousand rupees” respectively.

Section 133-E.- Omit.

Insertion of new Section

After Section 133-G insert the following:

Transfer of land to non-agriculturist barred “133-H.— (1) Save as provided in this Act,-

- (a) no sale (including sale in execution of a decree of a Civil court or for recovery of arrears of land revenue or for sum recoverable as arrears of land revenue), gift or exchange, or
- (b) no mortgage of any land or interest therein, in which the possession of mortgaged property is delivered to the mortgagee, or
- (c) no agreement made by instrument in writing for the sale, gift, exchange, or mortgage of the land

shall be valid in favour of a person who is not an agriculturist:

Provided that the Government or an officer authorized by it in this behalf may grant permission to an agriculturist to alienate the land to a non-agriculturist by way of sale, gift, exchange or mortgage or for such agreement on such conditions as may be prescribed:

Provided further that nothing in this sub-section shall bar lease of land or any other arrangement for entering into a farming or production agreement under the provisions of any law for the time being in force for the purpose of promotion of agriculture and improvement of land.

Explanation: For the purpose of this section, the expression-

- (a) “agriculturist” means a person:-
 - (i) who cultivates land personally in the Union territory of Jammu and Kashmir as on such date as may be notified by the Government; or
 - (ii) such category of persons as maybe notified by the Government from time to time.
- (b) “land” means the land recorded as agricultural land including village abadideh, by whatever name called, in the revenue records

being used for agriculture purposes or for purposes subservient to agriculture or for pasture or being used for residential purposes in rural areas .

- (c) “to cultivate land personally” means to cultivate:
- (i) on one’s own account;
 - (ii) by one’s own labour;
 - (iii) by the labour of any member of one’s family; or
 - (iv) under the personal supervision of oneself or of any member of one’s family by hired labour or by servants on wages payable in cash or kind but not in crop share; and

(2) Nothing contained in sub-section (1) shall be deemed to prohibit the transfer of land, by any person or Government, as defined in sub-section (1) in favour of,-

- (a) a land less person or a village artisan as per eligibility, residency conditions and procedure to be prescribed and notified by the Government;
- (b) any Government ;
- (c) a Company or a Corporation or a Board established by or under a statute and owned and controlled by the Government or a Government Company as defined in the Companies Act, 2013 (18 of 2013);

Provided that the land under clauses (b) and (c) is acquired through the Government for public purpose under the relevant law in force.

(3) No Registrar or Sub-Registrar appointed under the Registration Act, 1908 (16 of 1908), shall register any document pertaining the transfer of land, which is in contravention of sub-section (1).

(4) Where-

- (a) the Registrar or the Sub-Registrar, appointed under the Registration Act, 1908 (16 of 1908), before whom any document pertaining to transfer of land is presented for registration comes to know or has reason to believe that the transfer of land is in contravention of sub-section (1);
- (b) a Revenue Officer either on an application made to him or on receipt of any information from any source comes to know or has reason to believe that any land has been transferred or is being transferred in contravention of the provisions of sub-section (1),

such Sub-Registrar, the Registrar or the Revenue Officer, as the case may be, shall make reference to the Deputy Commissioner of the District in which land or any part thereof is situated, and the Deputy Commissioner, on receipt of such reference or otherwise on receipt of such information shall after affording to the persons who are parties to the transfer, a reasonable opportunity of being heard and holding an enquiry, determine whether the transfer of land is or, is not in contravention of sub-section (1) and he shall, within three months from the date of receipt of reference made to him, record his decision thereon and intimate the findings to the Registrar, Sub-Registrar or the Revenue Officer concerned.

(5) The person aggrieved by the findings recorded by the Deputy Commissioner that a particular transfer of land is in contravention of the provisions of sub-section (1), or in absence of any decision/findings by the Deputy Commissioner in three months, may within a period of 30 days from the date on which the order of recording such findings is made by the Deputy Commissioner or three months from the date of reference to Deputy Commissioner or such longer period as the Divisional Commissioner may allow for reasons to be recorded in writing file an appeal to the Divisional Commissioner, to whom such Deputy Commissioner is subordinate, and the Divisional Commissioner may, after giving the parties an opportunity of being heard of the case from the Collector reverse, alter or confirm the order made by the Deputy Commissioner and the order made by the Divisional Commissioner shall be final and conclusive.

(6) (a) The Financial Commissioner may, either on a report of a Revenue Officer or on an application or of his own motion, call for the record of any proceedings which are pending before, or have been disposed of by, any Revenue Officer subordinate to him and in which no appeal lies thereto, for the purpose of satisfying himself as to the legality or propriety of such proceedings or order made therein and may pass such order in relation thereto as he may think fit.

(b) No order shall be passed under this sub-section which adversely affects any person unless such person has been given an opportunity of being heard,

(7) Where the Deputy Commissioner of the District under sub-section (6), in case an appeal is not made within the prescribed period or the Divisional Commissioner in appeal under sub-section (7) or the Financial Commissioner in revision, under sub section (8), decides that the transfer of land is in contravention of the provisions of sub-section (1), such transfer shall be void ab-initio and the land involved in such transfer together with structures, buildings or other attachments, if any, shall, in the prescribed manner, vest in the Government of the Union territory of Jammu and Kashmir free from all encumbrances; and

(8) It shall be lawful for the Government of the Union territory of Jammu and Kashmir to make use of the land which is vested or may be vested in it under sub-section (4) or sub-section (9) for such purposes as it may deem fit to do so.

(9) The provision of this section shall come into effect from a date to be notified by the Government in the Official Gazette.”

Transfer of land in favour of public trust for charitable purposes

133-I. — Notwithstanding anything contained in section 133-H and subject to such procedure, as may be prescribed in this regard, the Government may, by notification in the official Gazette, allow transfer of land, as defined in said section, in favour of eligible public trust established under law for charitable purpose and which is non-profitable in nature.

Transfer of land for the purpose of promotion of healthcare or education

133-J.— Notwithstanding anything contained in section 133-H and subject to such procedure, as may be prescribed in this regard, the Government may, by notification in the official Gazette, allow transfer of land, as defined in said section, in favour of a person or an institution for the purpose of promotion of healthcare or senior secondary or higher or specialized education in the Union territory of Jammu and Kashmir.

Transfer of land for industrial, commercial or housing agricultural purposes or any other public purpose

133-K. — Notwithstanding anything contained in section 133-H and subject to such procedure, as may be prescribed in this regard, the Government may, by notification in the official Gazette, allow transfer of land, as defined in said section, in favour of any person, institution or corporation, for such industrial or commercial or housing purposes or agricultural purposes or any other public purpose as may be notified by the Government for industrial and commercial development of the union territory.

Transfer of land under sections 133-H, 133-I, 133-J and 133-K subject to conditions

133-L. — Any non-agriculturist in whose favour land has been transferred under sections 133-H(1) and (2)(a), 133-I, 133-J and 133-K shall, irrespective of transfer of such land, continue to be a non-agriculturist for the purposes of section 133-H and he shall put the land to such use for which land has been transferred within, a period of five years:

Provided that the Government may extend the above time period for a further period not exceeding two years on payment of penalty equal to one percent per month of the value of the land calculated on the basis of notified stamp duty rates applicable for such land.

(2) In case, such person fails to put the land for its intended use or diverts, without the permission of the Government, the said use for any other purpose or transfer by way of sale, gift or otherwise, the land so purchased by him shall vest in the Government free from all encumbrances.”

Section 134.- In sub-section (2), for “the Evidence Act, XIII of 1977”, substitute “the Indian Evidence Act, 1872 (1 of 1872)”.

After section 139, insert -

Repeal.

“140. —(1) The following Acts and all rules thereunder and orders previously issued regarding matters dealt with in these Acts so far as they may be repugnant to this Act, shall be considered to have been repealed:—

- (a) The Jammu and Kashmir Alienation of Land Act, Samvat 1995;
- (b) The Jammu and Kashmir Big Landed Estates Abolition Act, Samvat 2007;
- (c) The Jammu and Kashmir Common Lands (Regulation) Act, 1956;
- (d) The Jammu and Kashmir Consolidation of Holding Act, 1962;
- (e) The Jammu and Kashmir Land Improvement Schemes Act, 1972;
- (f) The Jammu and Kashmir Prevention of Fragmentation of Agricultural Holdings Act, 1960;
- (g) The Jammu and Kashmir Prohibition of Conversion of Land and Alienation of Orchards Act, 1975;
- (h) The Jammu and Kashmir Tenancy (Stay of Ejectment Proceedings) Act, 1966;
- (i) The Jammu and Kashmir Tenancy Act, Svt.1980;
- (j) The Jammu and Kashmir Utilization of Lands Act, Svt. 2010.

(2) The Financial Commissioner Revenue shall prepare details of all pending and residual issues due to repeal of the Acts as mentioned in sub-section (1) and place it before the Board and the Board shall accordingly take all possible steps for expeditious resolution of disputes and shall ensure final adjudication by the 31st March, 2021 of all the residual matters on fast track basis in the manner provided in sub-section (3).

(3) All pending disputes, cases, litigations and other residual matters under the repealed laws mentioned in sub-section (1) shall be disposed of by any one or more of the following methods, namely:-

- (a) by negotiation or third party mediation or conciliation or arbitration where no Government interest is involved;
- (b) by referring to Lok Adalat in consultation with standing counsel where no Government interest is involved;

(4) The Board shall be competent to delegate the powers to the Revenue officers for expeditious disposal of cases as it may deem fit.

Regularization of certain cases of unauthorised occupation.

140-A. – (1) The Government may make rules for regularisation of *unauthorised occupation, if any, arising on account of repeal of Acts under sub section (1) of section 140.*

Provided that such regularization may be permitted subject to payment of levy or fees to the Government at a rate not less than the fifty percent of the circle rate notified by the Government for such type of land in the particular area.

Provided further that no such regularization shall be permitted after 31st December, 2021.

(2) Notwithstanding such repeal, anything done, any action taken, any order or notification issued, under any of the provisions of law repealed under sub-section (1) of section 140 shall be deemed to have been done, taken or issued under the corresponding provisions of this Act, as if such provisions of this Act were in force on the day such thing was done, action was taken or order or notification was issued.

Removal of difficulties.

141. If any difficulty arises in giving the effect to the provisions of this Act, the Government may by Order, published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as it appears to be necessary or expedient for the purpose of removing the difficulty.

**12. THE JAMMU AND KASHMIR PREVENTION OF FRAGMENTATION OF AGRICULTURAL HOLDINGS ACT
(XXV of 1960)**

Repeal as a whole.

**13. THE JAMMU AND KASHMIR PROHIBITION ON CONVERSION OF LAND AND ALIENATION OF ORCHARDS ACT
(VIII of 1975)**

Repeal as a whole.

**14. THE JAMMU AND KASHMIR RIGHT OF PRIOR PURCHASE, ACT
[II of Svt. 1993 (1936 A.D.)]**

Repeal as a whole.

**15. THE JAMMU AND KASHMIR TENANCY (STAY OF EJECTMENT PROCEEDINGS) ACT
(XXXIII of 1966)**

Repeal as a whole.

**16. THE JAMMU AND KASHMIR UTILIZATION OF LANDS ACT
(IX of Samvat 2010)**

Repeal as a whole.

**17. THE JAMMU AND KASHMIR UNDERGROUND PUBLIC UTILITIES
(ACQUISITION OF RIGHTS OF USER IN LAND) ACT
(IV of 2014)**

Repeal as a whole.

**18. THE JAMMU AND KASHMIR STATE EVACUEES' (ADMINISTRATION OF
PROPERTY) ACT
(VI of Samvat 2006)**

Throughout the Act, for “Government Gazette” and “Jammu and Kashmir State”, wherever occurring, substitute “Official Gazette” and “Union territory of Jammu and Kashmir” respectively.

- Section 1. –** In sub-section (2), for “the whole of the Jammu and Kashmir State” , substitute “whole of the Union territory of Jammu and Kashmir”.
- Section 14-A.-** For “State Land Acquisition Act, Samvat 1990” and “sections 4, 6 and 7” , substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)” and “sections 11 and 19” respectively.
- Section 14-B.-** In sub-section (2), for “sections 9, 9-A,11,12,18,23,24 and 31 of the State Land Acquisition Act, Samvat 1990”, substitute “sections 21, 23, 37, 64, 69 and 76 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”.
- Section 15. –** In sub-section (2), for “Jammu and Kashmir Government Gazette” substitute “Official Gazette”.
- Section 22. –** For “Criminal Procedure, 1989 (Act XXIII of 1989)”, substitute “Criminal Procedure Code, 1973 (2 of 1974)”.
- Section 24.–** For “Code of Criminal Procedure, 1989 (Act XXIII of 1989)”, substitute “Criminal Procedure Code, 1973 (2 of 1974)”.
- Section 25.—** For “Jammu and Kashmir Government Gazette”, substitute “Official Gazette”.
- Section 26. –** For “Jammu and Kashmir Government Gazette”, substitute “Official Gazette”.
- Section 28. –** For “Ranbir Penal Code (Act XII of 1989)”, substitute “Indian Penal Code, 1860 (45 of 1860)”.
- Section 29. –** For “Code of Civil Procedure, 1977 (Act X of 1977)”, “Ranbir Penal Code (Act XII of 1989)” and “sections 480 and 482 of the Code of Criminal Procedure, 1989 (Act XXIII of 1989)” substitute “Code of Civil Procedure, 1908 (5 of 1908)”, “Indian

Penal Code,(45 of 1860)” and “sections 345 and 346 of the Criminal Procedure Code, 1973 (2 of 1974)”respectively.

Section 34. – For “Jammu and Kashmir Evidence Act, 1977(XII of 1977)”, substitute “Indian Evidence Act, 1872”.

Section 37. – For “Jammu and Kashmir Government Gazette”, substitute “Official Gazette”.

Section 39. – In sub-section (1), for “Jammu and Kashmir Government Gazette” ,substitute “Official Gazette”.

**19. THE JAMMU AND KASHMIR CONTROL OF BUILDING OPERATIONS ACT,
(XV of 1988)**

Section 3 In sub-section (2), in clause (b) for "in the Municipal Area" substitute “ in the Municipal Areaexcluding any strategic area notified under the Jammu and Kashmir Development Act, 1970.”

**20. THE JAMMU AND KASHMIR NATIONAL LAW UNIVERSITY ACT, 2018
(II of 2019)**

Section 2.- For clause (12), substitute,-
“ (12) “University” means any University established under section 3 of the Act; and ”

Section 3.- For section 3, substitute,-

“3. Establishment and Incorporation of University.- (1) The Government may, from time to time, by notification in the official Gazette, establish one or more Universities under this Act, by such place and with effect from such date as may be specified in such notification.

(2)Each university shall consist of the Chancellor, the Vice Chancellor , the Governing Council, the Executive Council, the Academic Council and the Registrar.

(3) Each University shall be a body corporate by the name, having perpetual succession and a common seal with power, subject to the provisions of the Act, to acquire and hold property, both movable and immovable, and to contract and shall, by the said name, sue and be sued.

(4) Each University shall be engaged in teaching and research in law and allied disciplines.

(5) The Headquarters of the University shall be at such place, as may be specified by the Government by notification in the Official Gazette and it may establish campuses at such places as it may deem fit.”

**21. THE JAMMU AND KASHMIR PROPERTY TAX BOARD ACT, 2013
(XI of 2013)**

Section 5.—In sub-section (2), insert-

“Provided that during the continuation of Proclamation issued under section 73 of the Jammu and Kashmir Reorganization Act, 2019 (34 of 2019), the Chairperson and members of the Board shall be appointed by the Lieutenant Governor”.

**22. THE JAMMU AND KASHMIR FISCAL RESPONSIBILITY AND BUDGET
MANAGEMENT ACT, 2006
(XII of 2006)**

Section 9.— In sub-section (2), after second proviso the following proviso shall be inserted, namely:

“Provided also that where such deficit amount exceeds the aforesaid targets on account of unforeseen circumstances arising out of a medical pandemic or related causes, a statement in respect of this shall be included in the next Annual Financial Statement or its revision placed before the Legislative Assembly after such deficit amount exceeds the aforesaid targets.”

Section 11.— In sub-section (3), after clause (b), insert the following clause, namely:-

“(c) Where on account of unforeseen circumstances arising out of a medical pandemic or related causes, any deviation is made in meeting the obligations cast on the Government under the Act, a statement in respect of this shall be included in the next Annual Financial Statement or its revision placed before the Legislative Assembly explaining –

- (i) any deviation in meeting the obligation cast on the Government under the Act;
- (ii) whether such deviation is substantial and relates to actual or the potential budgetary outcomes; and
- (iii) the remedial measures the Government proposes to take.” .

**23. THE JAMMU AND KASHMIR MUNICIPAL ACT
(XX of 2000)**

Insertion of new section.-
After section 18-B, insert-

**DISQUALIFICATION
ON THE GROUND OF
DEFECTION NOT TO
APPLY IN CASE OF
SPLIT**

“**18-BB.-** (1) A member of a Municipality shall not be disqualified under sub-section (1) of section 18-A where he and any other member of his original political party constitute the group representing a faction which has arisen as a result of split in his original political party and from the time of such split, such faction shall be deemed to be the political party to which he belongs for the purposes of sub-section (1) of section 18-A and to be his original political party for the purposes of this sub-section.

(2) For the purposes of sub-section (1), the split of the original political party of a member of a Municipality shall be deemed to have taken place if and only if not less than two-third of the members of the political party concerned have agreed to such split.”

**24. THE JAMMU AND KASHMIR MUNICIPAL CORPORATION ACT
(XXI of 2000)**

Insertion of new section.—

After section 34-B, insert:-

**DISQUALIFICATION
ON THE GROUND OF
DEFECTION NOT TO
APPLY IN CASE OF
SPLIT**

“34-BB.- (1) A member of a Corporation shall not be disqualified under sub-section (1) of section 34-A where he and any other member of his original political party constitute the group representing a faction which has arisen as a result of split in his original political party and from the time of such split, such faction shall be deemed to be the political party to which he belongs for the purposes of sub-section (1) of section 34-A and to be his original political party for the purposes of this sub-section.

(2) For the purposes of sub-section (1), the split of the original political party of a member of a Corporation shall be deemed to have taken place if and only if not less than two-third of the members of the political party concerned have agreed to such split.”

- Section 36.—**
- (i) In sub-section (1), for “elect one of its Councillors”, substitute “elect through open ballot one of its Councillors”; and
 - (ii) In sub-section (2) –
 - (a) for “five years from the date of his election as such”, substitute “co-terminus with the term of the Corporation”; and
 - (b) after first proviso, add:-

“Provided further that the term of the Mayor and the Deputy Mayor who have been elected as such before the commencement of the Jammu and Kashmir Reorganisation (Adaptation of State Laws) Fifth Order, 2020 shall also be co-terminus with the term of the Corporation.”.

- Section 37.—** In sub-section (2), for “not less than one-half” substitute “not less than three-fourth”; and

**25. THE JAMMU AND KASHMIR CIVIL SERVICES DECENTRALIZATION AND
RECRUITMENT ACT
(XVI of 2010)**

Section 3A. — After sub-section (2), insert:-

“(3) Notwithstanding anything contained in sub-section (1), spouse of a domicile shall also be deemed to be a domicile for the purposes of sub-section (1)”.

**26. THE STAMP ACT, SAMVAT 1977 (1920 A.D)
(XL of Svt. 1977)**

Insertion of new section.—After section 1, insert: –

“1A. The provisions incorporated in the Act by virtue of the Jammu and Kashmir Reorganization (Adaptation of State Laws) Fifth Order, 2020 shall come into force on such date as the Government may, by notification in the Official Gazette, appoint.”.

Section 2. — (i) for clause (1), substitute:-

“(1) “allotment list” means a list containing details of allotment of the securities intimated by the issuer to the depository under sub-section (2) of section 8 of the Depositories Act, 1996 (22 of 1996);

(1A) “banker” includes a bank and any person acting as a banker;

(ii) in clause (5), at the end of sub-clause (c), insert –

“but does not include a debenture;”;

(iii) after clause (7), insert:

“(7A) “Clearance List” means a list of transactions of sale and purchase relating to contracts traded on the stock exchanges submitted to a clearing corporation in accordance with the law for the time being in force in this behalf;”;

(iv) after clause (10 a), insert:

“(10 b) “Debenture” includes—

- (i) debenture stock, bonds or any other instrument of a company evidencing debt, whether constituting a charge on the assets of the company or not;
- (ii) bonds in the nature or debenture issued by any incorporated company or body corporate;
- (iii) certificate of deposit, commercial usance bill, commercial paper and such other debt instrument of original or initial maturity upto one year as the Reserve Bank of India may specify from time to time;
- (iv) securitised debt instruments; and
- (v) any other debt instruments specified by the Securities and Exchange Board of India from time to time;

(10 c) “Depository” includes—

- (a) a depository as defined in clause (e) of sub-section (1) of section 2 of the Depositories Act, 1996 (22 of 1996), and
- (b) any other entity declared by the Central Government, by notification in the Official Gazette, to be depository for the purpose of this Act;”;

(v) for clause (14), substitute —

(14) “Instrument” includes –

- (a) every document, by which any right or liability is, or purports to be, created, transferred, limited, extended, extinguished or recorded;
- (b) a document, electronic or otherwise, created for a transaction in a stock exchange or depository by which any right or liability is, or purports to be, created, transferred, limited, extended, extinguished or recorded; and

- (c) any other document mentioned in Schedule 1, but does not include such instruments as may be specified by the Government, by notification in the Official Gazette;’;

- (vi) after clause (15), insert:-

“(15A) “Issuer” means any person making an issue of securities;’;

- (vii) after clause (16-a), insert –

“Provided market value”, in relation to an instrument through which—

- (a) any security is traded in a stock exchange, means the price at which it is so traded;
- (b) any security which is transferred through a depository but not traded in the stock exchange, means the price or the consideration mentioned in such instrument;
- (c) any security is dealt otherwise than in the stock exchange/depository, means the price or consideration mentioned in such instrument;’;

- (viii) for clause (16-b), substitute:-

“(16-b) “Marketable Security” means a security capable of being traded in any stock exchange in India;

- (ix) after clause (23a), insert –

“(23-b) “Securities” includes,—

- (i) securities as defined in clause (h) of section 2 of the Securities Contracts (Regulation) Act, 1956 (42 of 1956);
- (ii) a “derivative” as defined in clause (a) of section 45U of the Reserve Bank of India Act, 1934 (2 of 1934)
- (iii) a certificate of deposit, commercial usance bill, commercial paper, repo on corporate bonds and such other debt instrument of original or initial maturity upto one year as the Reserve Bank of India may specify from time to time; and
- (iv) any other instrument declared by the Central Government, by notification in the Official Gazette, to be securities for the purpose of this Act;’;

- (x) after clause (25), insert –

“(26) “stock exchange” includes.—

- (i) a recognised stock exchange as defined in clause (f) of section 2 of the Securities Contracts (Regulation) Act, 1956 (42 of 1956); and
- (ii) such other platform for grading or reporting, a deal in securities, as may be specified by the Central Government, by notification in the Official Gazette, for the purposes of this Act;’;

Section 4.— After sub-section (2), insert –

“(3)Notwithstanding anything contained in sub-sections (1) and (2), in the case of any issue, sale or transfer of securities, the instrument on which stamp-duty is chargeable under section 9A shall be the principal instrument for the purpose of the section and no stamp-duty shall be charged on any other instrument relating to any such transaction;”;

Insertion of new section .—After section 6, insert:—

“(6 A) Securities dealt in depository not liable to stamp-duty.—Notwithstanding anything contained in this Act or any other law for the time being in force,—

- (a) an issuer, by the issue of securities to one or more depositories, shall in respect of such issue, be chargeable with duty on the total amount of securities issued by it and such securities need not be stamped,
- (b) the transfer of registered ownership of securities from person to a depository or from a depository to a beneficial owner shall not be liable to duty.

Explanation.— For the purpose of this Section, the expression “beneficial ownership” shall have the same meaning as assigned to it in the clause (a) of sub-section (1) of section 2 of The Depositories Act, 1996 (22 of 1996).”

Insertion of new Part AA.— In Chapter II, after Part A relating to ‘OF THE LIABILITY OF INSTRUMENTS TO DUTY’, insert the following Part, namely:—

“AA.—OF THE LIABILITY OF INSTRUMENTS OF TRANSACTION IN STOCK EXCHANGES AND DEPOSITORIES TO DUTY

9A. Instruments chargeable with duty for transactions in stock exchanges and depositories.—(1) Notwithstanding anything contained in this Act,—

- (a) when the sale of any securities, whether delivery based or otherwise, is made through a stock exchange, the stamp duty on each such sale in the clearance list shall be collected on behalf of the Government of Union territory of Jammu and Kashmir by the stock exchange or a clearing corporation authorised by it, from its buyer on the market value of such securities at the time of settlement of transaction in securities of such buyer, in such manner as the Central Government may, by rules, provide;
- (b) when any transfer of securities for a consideration, whether delivery based or otherwise, is made by a depository otherwise than on the basis of any transaction referred to in clause (a), the stamp-duty on such transfer shall be collected on behalf of the Government of Union territory of Jammu and Kashmir by the depository from the transferor of such securities on the consideration amount specified therein, in such manner as the Central Government may, by rules provide; and
- (c) when pursuant to issue of securities, any creation or change in the records of a depository is made, the stamp-duty on the allotment list shall be collected on behalf of the Government of Union territory of Jammu and Kashmir by the depository from the issuer of securities on the total market value of the securities as contained in such list, in such manner as the Central Government may, by rules, provide.

(2) Notwithstanding anything contained in this Act, the instruments referred to in sub-section (1) shall be chargeable with duty as provided therein at the rate specified in Schedule 1 and such instrument need not be stamped:

Provided that no duty shall be chargeable in respect of the instrument of transaction in stock exchanges and depositories established in any International Financial Services Centre set up under section 18 of the Special Economic Zones Act, 2005 (28 of 2005).

(3) From the date of commencement of this Part, no stamp-duty shall be charged or collected by the Government of Union territory of Jammu and Kashmir on any note or memorandum or any other document, electronic or otherwise, associated with the transaction mentioned in sub-section (1).

(4) The stock exchange or a clearing corporation authorised by it or the depository, as the case may be, shall within the three weeks of the end of each month and in accordance with the rules made in this behalf by the Central Government, in consultation with the Government of Union territory of Jammu and Kashmir, transfer the stamp duty collected under this section to the Government of Union territory of Jammu and Kashmir where the residence of the buyer is located and in case the buyer is located outside India, to the Government of Union territory of Jammu and Kashmir having the registered office of the trading member or broker of such buyer and in case where there is no such trading member of the buyer, to the Government of Union territory of Jammu and Kashmir having the registered office of the participant:

Provided that before such transfer, the stock exchange or the clearing corporation authorised by it or the depository shall be entitled to deduct such percentage of stamp-duty towards facilitation charges as may be specified in such rules.

Explanation. – The term “participant” shall have the same meaning as assigned to it in clause (g) of section 2 of the Depositories Act, 1996 (22 of 1996)

(5) Every stock exchange of the clearing corporation authorised by it and depository shall submit to the Government details of the transactions referred to in sub-section (1) in such manner as the Central Government may, by rules, provide.

9B. Instruments chargeable with duty for transactions otherwise than through stock exchanges and depositories, --Notwithstanding anything contained in this Act,—

- (a) When any issue of securities is made by an issuer otherwise than through a stock exchange or depository, the stamp-duty on each such issue shall be payable by the issuer, at the place where its registered office is located, on the total market value of the securities so issued at the rate specified in Schedule 1;
- (b) When any sale or transfer or reissue of securities for consideration is made otherwise than through a stock exchange or depository, the stamp-duty on each such sale or transfer or reissue shall be payable by the seller or transferor or issuer, as the case may be, on the consideration amount specified in such instrument at the rate specified in Schedule 1.”.

Section 21.— (i) For “the value of such stock or security according to the average price or the value thereof on the day of the date of the instrument.”, substitute “the market value of such stock or security:” ;
(ii) insert the following proviso: –

“Provided that the market value for calculating the stamp-duty shall be, in the case of. –

- (i) options in any securities, the premium paid by the buyer;
- (ii) repo on corporate bonds, interest paid by the borrower, and
- (iii) swap, only the first leg of the cash flow.”.

Section 29.— (i) In clause (a),—

- (a) omit “No.22 (Debenture)”;

- (b) omit “No. 54(a) (Transfer of shares in an incorporated Company or other body corporate)”;
 - (c) omit “No.54(b) (Transfer of debentures, being marketable securities, whether the debentures is liable to duty or not)”.
- (ii) in clause (g), after “exchange”, insert “including swap” ;
 - (iii) in clause (i), omit “and” and;
 - (iv) after clause (j), insert —
 - (k) in the case of sale of security through stock exchange, by the buyer of such security;
 - (l) in the case of sale of security otherwise than through a stock exchange, by the seller of such security.
 - (m) in the case of transfer of security through a depository, by the transferor of such security.
 - (n) in the case of transfer of security otherwise than through a stock exchange or depository, by the transferor of such security.
 - (o) in the case of issue of security, whether through a stock exchange or a depository or otherwise, by the issuer of such security; and
 - (p) in the case of any other instrument not specified herein, by the person making, drawing or executing such instrument.

Insertion of new Section 62 A.— insert.—

“62A. Penalty for failure to comply with provisions of Section 9A.—(1) Any person who,—

- (a) being required under sub-section (1) of section 9A to collect duty, fails to collect the same, or
- (b) being required under sub-section (4) of section 9A to transfer the duty to the Government of Union territory of Jammu and Kashmir within fifteen days of the expiry of the time specified therein, fails to transfer within such time,

shall be punishable with fine which shall not be less than one lakh rupees, but which may extend upto one per cent, of the collection or transfer so defaulted.

(2) Any person who,—

- (a) being required under sub-section (5) of section 9A to submit details of transactions to the Government, fails to submit the same; or
- (b) submits a document or makes a declaration which is false or which such person knows or believes to be false,

shall be punishable with fine of one lakh rupees for each day during which such failures continues or one crore rupees, whichever is less.

Amendment of Schedule 1.—In Schedule 1,—

- (i) in Article 16, in column (1), ---
 - (a) after “CERTIFICATE OR OTHER DOCUMENT” insert “(except the certificate or other document covered under Articles 22 and 48 A);

- (ii) in Article 23, for the entry in column (1), after “DELIVERY ORDER IN RESPECT OF GOODS,” insert “(excluding delivery order in respect of settlement of transactions in securities in stock exchange)”;
- (iii) after Article 48 and the entry relating thereto, insert the following Article and entries:-
“

(1)	(2)
“48A. SECURITY OTHER THAN DEBENTURES (see sections 9A and 9B	
(a) Issue of security other than debenture;	.005%
(b) Transfer of security other than debenture on delivery basis;	.015%
(c) Transfer of security other than debentures on non-delivery basis;	.003%
(d) Derivatives----	
(i) Futures (equity and commodity)	.002%
(ii) Options (equity and commodity)	.003%
(iii) Currency and interest rate derivatives	.001%
(iv) Other derivatives	.002%
(e) Government securities	0%
(f) Repo on corporate bonds	.00001%”;

”

- (iv) In Article 54, omit items (a) and (b) and the entries relating thereto.

[F.No. 11012/21/2020-SRA]

AJAY KUMAR BHALLA, Home Secy.

धारा 18ग

(क) उप-धारा (1) में,-

- (i) “धारा 17” और “धारा 18” शब्दों और अंकों के पश्चात् क्रमशः “अथवा धारा 17क” और “अथवा धारा 18ख” शब्दों, अंकों और अक्षर को लोप किया जाएगा; और
- (ii) “अधिकरण” और “अपील अधिकरण” शब्दों के पश्चात्, “अथवा जिला न्यायाधीश का न्यायालय” और “अथवा उच्च न्यायालय” शब्द, जहां-जहां वे आते हैं, का लोप किया जाएगा।
- (ख) उप-धारा (3) में-“अधिकरण” और “अपील अधिकरण” शब्दों के पश्चात् क्रमशः “या जिला न्यायाधीश का न्यायालय” और “या उच्च न्यायालय” शब्दों का लोप किया जाएगा।

धारा 19

धारा 19 में-

- (i) “अधिकरण” और “अपील अधिकरण” शब्दों के पश्चात्, क्रमशः “अथवा जिला न्यायाधीश का न्यायालय” और “अथवा उच्च न्यायालय” और “या धारा 18ख में निर्दिष्ट उच्च न्यायालय” शब्दों का लोप किया जाएगा।
- (ii) “धारा 17” और “धारा 18” शब्दों और अंकों के पश्चात् “अथवा धारा 17 क” और “अथवा धारा 18 क” शब्दों, अंकों और अक्षरों का लोप किया जाएगा।

[फा. सं. 11012/21/2020-एसआरए]

अजय कुमार भल्ला, गृह सचिव

MINISTRY OF HOME AFFAIRS**(Department of Jammu, Kashmir and Ladakh Affairs)****ORDER**

New Delhi, the 23rd October, 2020

S.O. 3774(E).—In exercise of the powers conferred by section 96 of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), and of all other powers enabling it in that behalf, the Central Government hereby makes the following Order in respect of the Administration of the Union territory of Ladakh, namely: —

1. (1) This Order may be called the Union Territory of Ladakh Reorganisation (Adaptation of Central Laws) Order, 2020.
- (2) It shall come into force with immediate effect.
2. The General Clauses Act, 1897 applies for the interpretation of this Order as it applies for interpretation of laws in force in the territory of India.
3. With immediate effect, the Acts mentioned in the Schedule to this Order shall, until repealed or amended by a competent authority, have effect, subject to the adaptations and modifications directed by the said Schedule, or if it is so directed, shall stand repealed.
4. Where this Order requires that in any specified section or other portion of an Act, certain words shall be substituted for certain other words, or certain words shall be omitted, such substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that section or portion.

5. The provisions of this Order which adapt or modify any law so as to alter the manner in which, the authority by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the 31st day of October, 2019; and any such notification, order, commitment, attachment, bye-law, rule, regulation or anything may be revoked, varied or undone in the like manner, to the like extent and in the like circumstances, as if it had been made, issued or done after the commencement of this Order by the competent authority and in accordance with the provisions then applicable to such case.

6. (1) The repeal or amendment of any law specified in the Schedule to this Order shall not affect—
- (a) the previous operation of any law so repealed or anything duly done or suffered thereunder;
 - (b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed;
 - (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or
 - (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019) or this Order had not been passed or issued.

(2) Subject to the provisions of sub-paragraph (1), anything done or any action taken (including any appointment or delegation made, notification, instruction or direction issued, form, bye-law or scheme framed, certificate obtained, permit or licence granted or registration effected or agreement executed) under any such law shall be deemed to have been done or taken under the corresponding provisions of the Central Laws now extended and applicable to the Union territory of Ladakh and shall continue to be in force accordingly unless and until superseded by anything done or any action taken under the Central Laws now extended to the Administration of the Union territory of Ladakh.

SCHEDULE

(See Paragraph 3)

CENTRAL LAWS

1. THE ADVOCATES ACT, 1961 (25 of 1961)

Section 2.— In sub-section (2), omit “in the State of Jammu and Kashmir or”, “that State or”.

Section 58AF.— Omit.

2. THE ANCIENT MONUMENTS AND ARCHAEOLOGICAL SITES AND REMAINS ACT, 1958 (24 of 1958)

Omit— Section 2A.

3. THE ARBITRATION AND CONCILIATION ACT, 1996

(26 of 1996)

Section 1.- In sub-section (1), omit the proviso and *Explanation*.

Insertion of new sections – After section 8, insert.–

Power of Court, seized of petition under section 9 or section 11 to refer dispute to mediation or conciliation.

“8A. (1) If during the pendency of petition under section 9 or 11, it appears to the Court, that there exists elements of a settlement which may be acceptable to the parties, the Court may, with the consent of parties, refer the parties, for resolution of their disputes, to,-

- (a) mediation; or
- (b) conciliation.

(2) The procedure for reference of a dispute to mediation shall be as under:-

- (a) where a dispute has been referred for resolution by recourse to mediation, the procedure framed under this Act shall apply;
- (b) in case of a successful resolution of the dispute, the Mediator shall immediately forward the mediated settlement to the referral court;
- (c) on receipt of the mediated settlement, the referral court shall independently apply its judicial mind and record a satisfaction that the mediated settlement is genuine, lawful, voluntary, entered into without coercion, undue influence, fraud or misrepresentation and that there is no other legal impediment in accepting the same;
- (d) the Court shall record a statement on oath of the parties, or their authorised representatives, affirming the mediated settlement as well as a clear undertaking of the parties to abide by the terms of the settlement;
- (e) if satisfied, the Court shall pass an order in terms of the settlement;
- (f) if the main petition, in which the reference was made is pending, it shall be disposed of by the referral Court in terms thereof;
- (g) if the main petition, in which the reference was made stands disposed of, the mediated settlement and the matter shall be listed before the referral Court, which shall pass orders in accordance with clauses (c), (d) and (e); and
- (h) such a mediated settlement, shall have the same status and effect as an arbitral award and may be enforced in the manner specified under section 36.

(3) With respect to reference of a dispute to conciliation, the provisions of Part II of this Act shall apply as if the conciliation proceedings were initiated by the parties under the relevant provision of this Act.

Power of Court, seized of matters under section 34 or section 37, to refer dispute to mediation or conciliation.

“8B.(1) If during the pendency of a petition under section 34 or an appeal under section 37, it appears to the Court, that there exist elements of a settlement which may be acceptable to the parties, the court may, with the consent of parties, refer the parties, for resolution of their disputes, to–

- (a) mediation; or

(b) conciliation.

(2) The procedure for reference of a dispute to mediation shall be as under:-

- (a) where a dispute has been referred for resolution by recourse to mediation, the procedure framed under this Act shall apply;
- (b) in case of a successful resolution of the dispute, the Mediator shall immediately forward the mediated settlement to the referral Court;
- (c) on receipt of the mediated settlement, the referral Court shall independently apply its judicial mind and record a satisfaction that the mediated settlement is genuine, lawful, voluntary, entered into without coercion, undue influence, fraud or misrepresentation and that there is no other legal impediment in accepting the same;
- (d) the Court shall record a statement on oath of the parties, or their authorised representatives, affirming the mediated settlement as well as a clear undertaking of the parties to abide by the terms of the settlement;
- (e) if satisfied, the Court shall pass an order in terms of the settlement;
- (f) if the main petition, in which the reference was made is pending, it shall be disposed of by the referral Court in terms thereof;
- (g) if the main petition, in which the reference was made stands disposed of, the mediated settlement and the matter shall be listed before the referral Court, which shall pass orders in accordance with clauses (c), (d) and (e);
- (h) such a mediated settlement, shall have the status of a modified arbitral award and may be enforced in the manner specified under section 36 .

(3) With respect to reference of a dispute to conciliation, the provisions of Part III of this Act, shall apply as if the conciliation proceedings were initiated by the parties under the relevant provision of this Act”.

Sections 29A.—

(a) For sub-section (1), substitute —

“(1) The award shall be made within a period of twelve months from the date the arbitral tribunal enters upon the reference.

Explanation.—For the purposes of this sub-section, an arbitral tribunal shall be deemed to have entered upon the reference on the date on which the arbitrator or all the arbitrators, as the case may be, have received notice, in writing, of their appointment.”;

(b) in sub-section (4), omit second and third provisos.

Section 34.—

(i) after sub-section (2), insert -

“(2A) An arbitral award may also be set aside by the Court, if the Court finds that the award is vitiated by patent illegality appearing on the face of the award:

Provided that an award shall not be set aside merely on the ground of an erroneous application of the law or by re-appreciation of evidence.”;

(ii) in sub-section (3),—

(a) for “three months” substitute “six months”;

- (b) in the proviso, for “three months and “thirty days” substitute respectively “six months” and “sixty days”.

4. THE BUILDING AND OTHER CONSTRUCTION WORKERS (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1996

(27 of 1996)

Insertion of new section – After section 49, insert.–

Compounding of offences.

“49A. (1) Any offence punishable under sections 47, 48 and 49 may, either before or after the institution of the prosecution, on an application by the alleged offender, be compounded by payment of compounding amount not more than fifty thousand by such officer or authority as the appropriate Government may, by notification in the Official Gazette, specify in this behalf:

Provided that the appropriate Government may, by notification in the Official Gazette, amend the said specified compounding amount:

Provided further that the offences of the same nature committed by the same offender for more than three occasions shall not be compoundable:

Provided also that such offences shall be compounded only after the alleged offender has acted to the satisfaction of such officer or authority that such offence is not continued any further:

(2) where an offence has been compounded under sub-section (1), no further proceedings shall be taken against the offender in respect of such offence and the offender, if in custody, shall be released or discharged.”

5. THE CENSUS ACT, 1948

(37 of 1948)

Section 2A.— Omit.

6. THE CODE OF CIVIL PROCEDURE, 1908

(5 of 1908)

Section 35.— In section 35, in sub-section (1), omit “Commercial”.

Section 35A.— In section 35A, omit sub-section (2).

First Schedule-

- (a) In Order V, in rule 1, in sub-rule (1), for the second proviso, substitute-

“Provided further that where the defendant fails to file the written statement within the said period of thirty days, he shall be allowed to file the written statement on such other day, as may be specified by the court, for reasons to be recorded in writing and on payment of such costs as the court deems fit, but which shall not be later than one hundred twenty days from the date of service of summons and on expiry of one hundred twenty days from the date of service of summons, the defendant shall forfeit the right to file the

written statement and the court shall not allow the written statement to be taken on record.”;

(b) in Order VII, after rule 2, insert –

“2A. Where interest is sought in suit.—(1) Where the plaintiff seeks interest, the plaint shall contain a statement to that effect along with the details set out under sub-rules (2) and (3).

(2) Where the plaintiff seeks interest, the plaint shall state whether the plaintiff is seeking interest in relation to a commercial transaction within the meaning of section 34 and, furthermore, if the plaintiff is doing so under the terms of a contract or under an Act, in which case the Act is to be specified in the plaint; or on some other basis and shall state the basis of that.

(3) The pleadings shall also state—

- (a) the rate at which interest is claimed;
- (b) the date from which it is claimed;
- (c) the date to which it is calculated;
- (d) the total amount of interest claimed to the date calculation; and
- (e) the daily rate at which interest accrues after the date.”;

(c) in Order VIII,—

(i) in rule 1, for the proviso, substitute —

“Provided that where the defendant fails to file the written statement within the said period of thirty days, he shall be allowed to file the written statement on such other day, as may be specified by the court, for reasons to be recorded in writing and on payment of such costs as the court deems fit, but which shall not be later than one hundred twenty days from the date of service of summons and on expiry of one hundred twenty days from the date of service of summons, the defendant shall forfeit the right to file the written statement and the court shall not allow the written statement to be taken on record.”;

(ii) after rule 3, insert –

“3A. Denial by defendant in suits.— (1) The denial of allegations shall be in the manner provided in sub-rules (2), (3), (4) and (5).

(2) The defendant in his written statement shall state which of the allegations in the particulars of plaint he denies, which allegations he is unable to admit or deny, but which he requires the plaintiff to prove, and which allegations he admits.

(3) Where the defendant denies an allegation of fact in a plaint, he must state his reasons for doing so and if he intends to put forward a different version of events from that given by the plaintiff, he must state his own version.

(4) If the defendant disputes the jurisdiction of the court he must state the reasons for doing so, and if he is able, give his own statement as to which court ought to have jurisdiction.

(5) If the defendant disputes the plaintiff valuation of the suit, he must state his reasons for doing so, and if he is able, give his own statement of the value of the suit.”;

(iii) in rule 5, in sub-rule (1), after the first proviso, insert –

“Provided further, that every allegation of fact in the plaint, if not denied in the manner provided under rule 3A, shall be taken to be admitted except as against a person under disability.”;

(iv) in rule 10, insert –

“Provided that no court shall make an order to extend the time provided under rule 1 for filing of the written statement.”;

(d) for Order XI, substitute –

“ORDER XI

DISCLOSURE, DISCOVERY AND INSPECTION OF DOCUMENTS

1. Disclosure and discovery of documents.—(1) The plaintiff shall file a list of all documents and photocopies of all documents, in its power, possession, control or custody, pertaining to the suit, along with the plaint, including—

- (a) documents referred and relied on by the plaintiff in the plaint;
- (b) documents relating to any matter in question in the proceedings, in the power, possession, control or custody of the plaintiff, as on the date of filing the plaint, irrespective of whether the same is in support of or adverse to the plaintiffs case; and
- (c) nothing in this rule shall apply to documents produced by plaintiffs and relevant only—
 - (i) for the cross-examination of the defendant’s witnesses, or
 - (ii) in answer to any case setup by the defendant subsequent to the filing of the plaint, or
 - (iii) handed over to a witness merely to refresh his memory.

(2) The list of documents filed with the plaint shall specify whether the documents in the power, possession, control or custody of the plaintiff are originals, office copies or photocopies and the list shall also set out in brief, details of parties to each document, mode or execution, issuance or receipt and line of custody of each document.

(3) The plaint shall contain a declaration on oath from the plaintiff that all documents in the power, possession, control, or custody of the plaintiff, pertaining to the facts and circumstances of the proceedings initiated by him have been disclosed and copies thereof annexed with the plaint, and that the plaintiff does not have any other documents in its power, possession, control or custody.

Explanation.— A declaration on oath under this sub-rule shall be contained in the Statement of Truth as set out in the Appendix I.

(4) In case of urgent filings, the plaintiff may seek leave to rely on additional documents, as part of the above declaration on oath and subject to grant of such leave by court, the plaintiff shall file such additional documents in court, within thirty days of filing the suit, along with a declaration on oath that the plaintiff has produced all documents in its power, possession, control or custody, pertaining to the facts and circumstances of the proceedings initiated by the plaintiff and that the plaintiff does not have any other documents, in its power, possession, control or custody.

(5) The plaintiff shall not be allowed to rely on documents, which were in the plaintiff’s power, possession, control or custody and not disclosed along with plaint or within the extended period set out above, save and except by leave of court and such leave shall be granted only upon the plaintiff establishing reasonable cause for non-disclosure along with the plaint.

(6) The plaint shall set out details of documents, which the plaintiff believes to be in the power, possession, control or custody of the defendant and which the plaintiff wishes to rely upon and seek leave for production thereof by the said defendant.

(7) The defendant shall file a list of all documents and photocopies of all documents, in its power, possession, control or custody, pertaining to the suit, along with the written statement or with its counter-claim if any, including—

- (a) the documents referred to and relied on by the defendant in the written statement;
- (b) the documents relating to any matter in question in the proceeding in the power, possession, control or custody of the defendant, irrespective of whether the same is in support of or adverse to the defendant's defense;
- (c) nothing in this rule shall apply to documents produced by the defendants and relevant only—
 - (i) for the cross-examination of the plaintiff's witnesses;
 - (ii) in answer to any case setup by the plaintiff subsequent to the filing of the plaint; or
 - (iii) handed over to a witness merely to refresh his memory.

(8) The list of documents filed with the written statement or counter-claim shall specify whether the documents, in the power, possession, control or custody of the defendant, are originals, office copies or photocopies and the list shall also set out in brief, details of parties to each document being produced by the defendant, mode of execution, issuance or receipt and line of custody of each document.

(9) the written statement or counter-claim shall contain a declaration on oath made by the deponent that all documents in the power, possession, control or custody of the defendant, save and except for those set out in sub-clause(iii) of clause (c)sub-rule (7), pertaining to the facts and circumstances of the proceedings initiated by the plaintiff or in the counter-claim, have been disclosed and copies thereof annexed with the written statement or counter-claim and that the defendant does not have in its power, possession, control or custody, any other documents.

(10) Save and except for sub-rule (7), defendant shall not be allowed to rely on documents, which were in the defendant's power, possession, control or custody and not disclosed along with the written statement or counter-claim, save and except by leave of court and such leave shall be granted only upon the defendant establishing reasonable cause for non-disclosure along with the written statement or counter-claim.

(11) The written statement or counter-claim shall set out details of documents in the power, possession, control or custody of the plaintiff, which the defendant wishes to rely upon and which have not been disclosed with the plaint, and call upon the plaintiff to produce the same.

(12) Duty to disclose documents, which have come to the notice of a party, shall continue till disposal of the suit.

2. Discovery by interrogatories.—(1) In any suit the plaintiff or defendant by leave of the court may deliver interrogatories in writing for the examination of the opposite parties or anyone or more of such parties, and such interrogatories when delivered shall have a note at the foot thereof stating which of such interrogatories each of such persons is required to answer:

Provided that no party shall deliver more than one set of interrogatories to the same party without an order for that purpose:

Provided further that interrogatories which do not relate to any matters in question in the suit shall be deemed irrelevant, notwithstanding that they might be admissible on the oral cross-examination of a witness.

(2) On an application for leave to deliver interrogatories, the particular interrogatories proposed to be delivered shall be submitted to the court, and that court shall decide within seven days from the day of filing of the said application, in deciding upon such application, the court shall take into account any offer, which may be made by the party sought to be interrogated to deliver particulars, or to make admissions, or to produce documents relating to the matters in

question, or any of them, and leave shall be given as to such only of the interrogatories submitted as the court shall consider necessary either for disposing fairly of the suit or for saving costs.

(3) In adjusting the costs of the suit, inquiry shall at the instance of any party be made into the propriety of exhibiting such interrogatories, and if it is the opinion of the taxing officer or of the court, either with or without an application for inquiry, that such interrogatories have been exhibited unreasonably, vexatiously, or at improper length, the costs occasioned by the said interrogatories and the answers thereto shall be paid in any event by the party in fault.

(4) The interrogatories shall be in the form provided in Form No. 2 in Appendix C, with such variations as circumstances may require.

(5) Where any party to a suit is a corporation or a body of persons, whether incorporated or not, empowered by law to sue or be sued, whether in its own name or in the name of any officer or other person, any opposite party may apply for any order allowing him to deliver interrogatories to any member or officer of such corporation or body, and an order may be made accordingly.

(6) Any objection to answering any interrogatory on the ground that it is scandalous or irrelevant or not exhibited bona fide for the purpose of the suit, or that the matters required into are not sufficiently material at that stage, or on the ground of privilege or any other ground may be taken in the affidavit in answer.

(7) Any interrogatories may be set aside on the ground that they have been exhibited unreasonably or vexatiously, or struck out on the ground that they are prolix, oppressive, unnecessary or scandalous and any application for this purpose may be made within seven days after service of the interrogatories.

(8) Interrogatories shall be answered by affidavit to be filed within ten days, or within such further time as the court may allow.

(9) An affidavit in answer to interrogatories shall be in the form provided in Form No. 3 in Appendix C with such variations as circumstances may require.

(10) No exceptions shall be taken to any affidavit in answer, but the sufficiency or otherwise of any such affidavit objected to as insufficient shall be determined by the court.

(11) Where any person interrogated omits to answer, or answers insufficiently, the party interrogating may apply to the court for an order requiring him to answer, or to answer further, as the case may be, and an order may be made requiring him to answer, or to answer further, either by affidavit or by viva voce examination, as the court may direct.

3. Inspection.—(1) All parties shall complete inspection of all documents disclosed within thirty days of the date of filing of the written statement or written statement to the counter-claim, whichever is later, the court may extend this time limit upon application at its discretion, but not beyond thirty days in any event.

(2) Any party to the proceedings may seek directions from the court, at any stage of the proceedings, for inspection or production of documents by the other party, of which inspection has been refused by such party or documents have not been produced despite issuance of a notice to produce.

(3) The order in such application shall be made within thirty days of filing such application, including filing replies and rejoinders (if permitted by court) and hearing.

(4) If the above application is allowed, inspection and copies thereof shall be furnished to the party seeking it, within five days of such order.

(5) No party shall be permitted to rely on a document, which it had failed to disclose or of which inspection has not been given, save and except with leave of court.

(6) The Court may impose exemplary costs against a defaulting party, who willfully or negligently failed to disclose all documents pertaining to a suit or essential for a decision therein and which are in their power, possession, control or custody or where the court holds that inspection or copies of any documents had been wrongfully or unreasonably withheld or refused.

4. Admission and denial of documents.—(1) Each party shall submit a statement of admissions or denials of all documents disclosed and of which inspection has been completed, within fifteen days of the completion of inspection or any later date as fixed by the court.

(2) The statement of admissions and denials shall set out explicitly, whether such party was admitting or denying-

- (a) correctness of contents of a document;
- (b) existence of a document;
- (c) execution of a document;
- (d) issuance or receipt of a document;
- (e) custody of a document.

Explanation.— A statement of admission or denial of the existence of a document made in accordance with clause (b) shall include the admission or denial of the contents of a document.

(3) Each party shall set out reasons for denying a document under any of the above grounds and bare and unsupported denials shall not be deemed to be denials of a document and proof of such documents may then be dispensed with at the direction of the court.

(4) Any party may however submit bare denials for third party documents of which the party denying does not have any personal knowledge of, and to which the party denying is not a party to in any manner whatsoever.

(5) An affidavit in support of the statement of admissions and denials shall be filed confirming the correctness of the contents of the statement.

(6) In the event that the court holds that any party has unduly refused to admit a document under any of the above criteria, costs (including exemplary costs) for deciding on admissibility of a document may be imposed by the court on such party.

(7) The court may pass orders with respect to admitted documents including for waiver of further proof thereon or rejection of any documents.

5. Production of documents.—(1) Any party to a proceeding may seek or the court may order, at any time during the pendency of any suit, production by any party or person, of such documents in the possession or power of such party or person, relating to any matter in question in such suit.

(2) Notice to produce such document shall be issued in the form provided in Form No. 7 in Appendix C.

(3) Any party or person to whom such notice to produce is issued shall be given not less than seven days and not more than fifteen days to produce such document or to answer to their inability to produce such document.

(4) The Court may draw an adverse inference against a party refusing to produce such document after issuance of a notice to produce and where sufficient reasons for such non-production are not given and order costs.

6. Electronic records.—(1) In case of disclosures and inspection of electronic records as defined in the Information Technology Act, 2000 (21 of 2000), furnishing of printouts shall be sufficient compliance of the above provisions.

(2) At the discretion of the parties or where required (when parties wish to rely on audio or video content), copies of electronic records may be furnished in electronic form either in addition to or in lieu of printouts.

(3) Where electronic records form part of documents disclosed, the declaration on oath to be filed by a party shall specify —

- (a) the parties to such electronic record;
- (b) the manner in which such electronic record was produced and by whom;
- (c) the dates and time of preparation or storage or issuance or receipt of each such electronic record;
- (d) the source of such electronic record and date and time when the electronic record was printed;
- (e) in case of e-mail ids, details of ownership, custody and access to such e-mail ids;
- (f) in case of documents stored on a computer or computer resource (including on external servers or cloud), details of ownership, custody and access to such data on the computer or computer resource;
- (g) deponent's knowledge of contents and correctness of contents;
- (h) whether the computer or computer resource used for preparing or receiving or storing such document or data was functioning properly or in case of malfunction that such malfunction did not affect the contents of the document stored; and
- (i) that the printout or copy furnished was taken from the original computer or computer resource.

(4) The parties relying on printouts or copy in electronic form, of any electronic records, shall not be required to give inspection of electronic records, provided a declaration is made by such party that each such copy, which has been produced, has been made from the original electronic records.

(5) The court may give directions for admissibility of electronic records at any stage of the proceedings.

(6) Any party may seek directions from the court and the court may of its motion issue directions for submission of further proof of any electronic record including metadata or logs before admission of such electronic record.”;

(e) after Order XV, insert —

“ORDER XV-A

First Case Management Hearing

1. First Case Management Hearing.—The court shall hold the first Case Management Hearing, not later than four week from the date of filing of affidavit of admission or denial of documents by all parties to the suit.

2. Orders to be passed in Case Management Hearing.—In a Case Management Hearing, after hearing the parties, and once it finds that there are issues of fact and law which require to be tried, the court may pass an order—

- (a) framing the issues between the parties in accordance with Order XIV after examining pleadings, documents and documents produced before it, and on examination conducted by the court under rule 2 of Order X, if required;
- (b) listing witnesses to be examined by the parties;
- (c) fixing the date by which affidavit of evidence to be filed by parties;
- (d) fixing the date on which evidence of the witnesses of the parties to be recorded;
- (e) fixing the date by which written arguments are to be filed before the court by the parties;
- (f) fixing the date on which oral arguments are to be heard by the court; and
- (g) setting time limits for parties and their advocates to address oral arguments.

3. Time limit for completion of trial.—In fixing dates or setting time limits for the purposes of rule 2, the court shall ensure that the arguments are closed not later than six months from the date of the first Case Management Hearing.

4. Recording of oral evidence on day-to-day basis.—The court shall, as far as possible, ensure that the record of evidence shall be carried on, on a day-to-day basis until the cross examination of all the witnesses is complete.

5. Case Management hearings during trial.— The court may, if necessary, also hold Case Management Hearings anytime during the trial to issue appropriate orders so as to ensure adherence by the parties to the dates fixed under rule 2 and facilitate speedy disposal of the suit.

6. Powers of court in Case Management Hearing.—(1) In any Case Management Hearing held under this Order, the court shall have the power to –

- (a) prior to the framing of issues, hear and decide any pending application filed by the parties under Order XIII-A;
- (b) direct parties to file compilations of documents or pleadings relevant and necessary for framing issues;
- (c) extend or shorten the time for compliance with any practice, direction or court order if it finds sufficient reason to do so;
- (d) adjourn or bring forward a hearing if it finds sufficient reason to do so;
- (e) direct a party to attend the court for the purposes of examination under rule 2 of Order X;
- (f) consolidate proceedings;
- (g) strike off the name of any witness or evidence that it deems irrelevant to the issues framed;
- (h) direct a separate trial of any issue;
- (i) decide the order in which issues are to be tried;
- (j) exclude an issue from consideration;
- (k) dismiss or give judgment on a claim after a decision on a preliminary issue;
- (l) direct that evidence be recorded by a Commission where necessary in accordance with Order XXVI;
- (m) reject any affidavit of evidence filed by the parties for containing irrelevant, inadmissible or argumentative material;
- (n) strike off any parts of the affidavit of evidence filed by the parties containing irrelevant, inadmissible or argumentative material;
- (o) delegate the recording of evidence to such authority appointed by the court for this purpose;
- (p) pass any order relating to the monitoring of recording the evidence by a commission or any other authority;
- (q) order any party to file land exchange costs budget; and
- (r) issue directions or pass any order for the purpose of managing the case and furthering the overriding objective of ensuring the efficient disposal of the suit.

(2) When the court passes an order in exercise of its powers under this Order, it may–

- (a) make it subject to conditions, including a condition to pay a sum of money into court; and
- (b) specify the consequence of failure to comply with the order or a condition.

(3) While fixing the date for a Case Management Hearing, the court may direct that the parties also be present for such Case Management Hearing, if it is of the view that there is a possibility of settlement between the parties.

7. Adjournment of Case Management Hearing.—(1) The Court shall not adjourn the Case Management Hearing for the sole reason that the advocate appearing on behalf of a party is not present:

Provided that an adjournment of the hearing is sought in advance by moving an application, the court may adjourn the hearing to another date upon the payment of such costs as the court deems fit, by the party moving such application.

(2) Notwithstanding anything contained in this rule, if the court is satisfied that there is a justified reason for the absence of the advocate, it may adjourn the hearing to another date upon such terms and conditions it deems fit.

8. Consequences of non-compliance with orders.—Where any party fails to comply with the order of the court passed in a Case Management Hearing, the court shall have the power to—

- (a) condone such non-compliance by payment of costs to the court;
- (b) foreclose the non-compliant party's right to file affidavits, conduct cross-examination of witnesses, file written submissions, address oral arguments or make further arguments in the trial, as the case may be; or
- (c) dismiss the plaint or allow the suit where such non-compliance is willful, repeated and the imposition of costs is not adequate to ensure compliance.”;

(f) in Order XVIII,—

(a) in rule 2, after sub-rule (3), insert —

"(3A) A party shall, within four weeks prior to commencing the oral arguments, submit concisely and under distinct headings written arguments in support of his case to the court and such written arguments shall form part of the record.

(3B) The written arguments shall clearly indicate the provisions of the laws being cited in support of the arguments and the citations of judgments being relied upon by the party and include copies of such judgments being relied upon by the party.

(3C) A copy of such written arguments shall be furnished simultaneously to the opposite party.

(3D) The court may, if it deems fit, after the conclusion of arguments, permit the parties to file revised written arguments within a period of not more than one week after the date of conclusion of arguments.

(3E) No adjournment shall be granted for the purpose of filing the written arguments unless the court, for reasons to be recorded in writing, considers it necessary to grant such adjournment.

(3F) It shall be open for the court to limit the time for oral submissions having regard to the nature and complexity of the matter.”;

(b) in rule 4, after sub-rule (1), insert —

“(1A) The affidavits of evidence of all witnesses whose evidence is proposed to be led by a party shall be filed simultaneously by that party at the time directed in the first Case Management Hearing.

(1B) A party shall not lead additional evidence by the affidavit of any witness (including of a witness who has already filed an affidavit) unless sufficient cause is made out in an application for that purpose and an order, giving reasons, permitting such additional affidavit is passed by the court.

(1C) A party shall, however, have the right to withdraw any of the affidavits so filed at any time prior to commencement of cross-examination of that witness, without any adverse inference being drawn based on such withdrawal:

Provided that any other party shall be entitled to tender as evidence and rely upon any admission made in such withdrawn affidavit.”;

(g) in Order XIX, after rule 3, insert -

"4. Court may control evidence.-(1) The court may, by directions regulate the evidence as to issues on which it requires evidence and the manner in which such evidence may be placed before the court.

(2) The court may, in its discretion and for reasons to be recorded in writing, exclude evidence that would otherwise be produced by the parties.

5. Redacting or rejecting evidence.-A court may, in its discretion, for reasons to be recorded in writing-

- (i) redact or order the redaction of such portions of the affidavit of examination-in-chief as do not, in its view, constitute evidence; or
- (ii) return or reject an affidavit of examination-in-chief as not constituting admissible evidence.

6. Format and guidelines of affidavit of evidence.-An affidavit must comply with the form and requirements set forth below:-

- (a) such affidavit should be confined to, and should follow the chronological sequence of, the dates and events that are relevant for proving any fact or any other matter dealt with;
- (b) where the court is of the view that an affidavit is a mere reproduction of the pleadings, or contains the legal grounds of any party's case, the court may, by order, strike out the affidavit or such parts of the affidavit, as it deems fit and proper;
- (c) each paragraph of an affidavit should, as far as possible, be confined to a distinct portion of the subject;
- (d) an affidavit shall state-
 - (i) which of the statements in it are made from the deponent's own knowledge and which are matters of information or belief; and
 - (ii) the source for any matters of information or belief.
- (e) an affidavit should-
 - (i) have the pages numbered consecutively as a separate document (or as one of several documents contained in a file);
 - (ii) be divided into numbered paragraphs;
 - (iii) have all numbers, including dates, expressed in figures; and
 - (iv) if any of the documents referred to in the body of the affidavit are annexed to the affidavit or any other pleadings, give the annexures and page numbers of such documents that are relied upon.”;
- (h) after Appendix H, insert -

"APPENDIX-I

STATEMENT OF TRUTH

[Under First Schedule, Order XI, rule 1, sub-rule (3)]

I _____ the deponent do hereby solemnly affirm and declare as under:—

1. I am the party in the above suit and competent to swear this affidavit.
2. I am sufficiently conversant with the facts of the case and have also examined all relevant documents and records in relation thereto.

3. I say that the statements made in _____ paragraphs are true to my knowledge and statements made in _____ paragraphs are based on information received which I believe to be correct and statements made in _____ paragraphs are based on legal advice.
4. I say that there is no false statement or concealment of any material fact, document or record and I have included information that is according to me, relevant for the present suit.
5. I say that all documents in my power, possession, control or custody, pertaining to the facts and circumstances of the proceedings initiated by me have been disclosed and copies thereof annexed with the plaint, and that I do not have any other documents in my power, possession, control or custody.
6. I say that the above mentioned pleading comprises of a total of _____ pages, each of which has been duly signed by me.
7. I state that the Annexures hereto are true copies of the documents referred to and relied upon by me.
8. I say that I am aware that for any false statement or concealment, I shall be liable for action taken against me under the law for the time being in force.

Place:

Date:

DEPONENT

VERIFICATION

I, _____ do hereby declare that the statements made above are true to my knowledge.

Verified at _____ on this _____.

DEPONENT".

7. THE CODE OF CRIMINAL PROCEDURE, 1973

(2 of 1974)

Section 24.—After sub-section (6), insert -

“(6A). Notwithstanding anything contained in sub-section (1) and sub-section (6), the Administration of the Union territory of Ladakh may appoint a person who has been in practice as an Advocate for not less than seven years as Public Prosecutor or Additional Public Prosecutor for the District Courts and it shall not be necessary to appoint Public Prosecutor or Additional Public Prosecutor for the High Court in consultation with High Court and Public Prosecutor or Additional Public Prosecutor for the District Court from amongst the person constituting the cadre of prosecution for the Union territory of Ladakh.”.

Section 25A.(i) For sub-sections (1) and (2), substitute—

“(1) The Administration of the Union territory of Ladakh shall establish a Directorate of Prosecution headed by an officer as may be designated by the said Administration and consisting of such other officers, as may be provided in rules to be framed by the Administration of the Union territory of Ladakh .

- (2) The posts of officers mentioned in sub-section (1), constituting the prosecution cadre, shall be filled in accordance with the rules to be framed by the Administration of the Union territory of Ladakh.”;
- (ii) in sub-section (3), for “Director of Prosecution” substitute “such officer as may be prescribed in rules to be framed by the Administration of the Union territory of Ladakh”;
- (iii) for sub-section (4), substitute—
“(4) Every officer in the Directorate of Prosecution shall be subordinate to the officer heading the Directorate.”;
- (iv) for sub-section(5), substitute -
“Every Public Prosecutor, Additional Public Prosecutor and Special Public Prosecutor appointed by the Administration of the Union territory of Ladakh under sub-section (1), or as the case may be under sub-section (8) of section 24 to conduct cases in the High Court shall be subordinate to the officer heading the Directorate of Prosecution.”;
- (v) for sub-section (7), substitute—
“(7) The powers and functions of the officer heading the Directorate of Prosecution and other officers of the prosecution cadre shall be such as may be provided by the rules to be framed by the Administration of the Union territory of Ladakh.”;
- (vi) omit sub-section (8).

First Schedule.— After the entries relating to section 354D, insert –

1	2	3	4	5	6
“354E	Sextortion	Imprisonment of not less than three years but which may extend to five years and with fine.	Cognizable	Non-bailable	Magistrate of the First Class.”.

8. THE COLLECTION OF STATISTICS ACT, 2008 (07 of 2009)

Section 1.— In sub-section (2),omit the proviso.

9. THE COMMISSIONS OF INQUIRY ACT, 1952 (60 of 1952)

Section 2.— In clause (a), in sub-clause(ii), omit the proviso.

Section 2A.— Omit.

10. THE CONTRACT LABOUR (REGULATION AND ABOLITION) ACT, 1970
(37 of 1970)

Section 1. - In sub-section (4), in clause (a), for “twenty”, substitute “forty”.

After section 25, insert –

Compounding of offences. “25A. (1) Any offence punishable under sub-sections (1) and (2) of section 22 and section 24 may, either before or after the institution of the persecution, on an application by the alleged offender, be compounded by such officer or authority as the appropriate Government may by notification in the official Gazette, specify in this behalf for such amount as specified in the Table below: —

TABLE

S. No.	Section	Compounding amount	
1	2	3	
1	22(1), 22(2) and 24	Number of workmen employed in the industry	Amount not exceeding
		1 to 50	Rs.5000/-
		51 to 100	Rs. 8,000/-
		101 to 500	Rs. 12,000/-
		More than 500	Rs. 16,000/- :

Provided that the appropriate Government may, by notification in the Official Gazette, amend the said specified compounding amount:

Provided further that the offences of the same nature committed by the same offender for more than three occasions shall not be compoundable:

Provided also that such offences shall be compounded only after the alleged offender has acted to the satisfaction of such officer or authority that such offence is not continued any further:

Provided also that when an offence is compounded on an application by the principal employer or contractor, then seventy- five per cent. of the compounding amount received from him, shall be paid to the concerned employee or equally amongst the employees and if any employees are not identifiable, then the remaining amount shall be deposited in such manner as may be notified by the appropriate Government.

(2) Where an offence has been compounded under sub-section (1), no further proceedings shall be taken against the offender in respect of such offence and the offender, if in custody, shall be released or discharged.”

11. THE DENTISTS ACT, 1948

(16 of 1948)

Section 2A .— Omit.

Section 33.— In sub-section (1), in third proviso , omit clause (c).

12. THE FACTORIES ACT, 1948

(63 of 1948)

Section 2.- In clause (m),

- (i) in sub-clauses (i) for the words “ten or more workers”, the words “twenty or more workers” shall be substituted;
- (ii) in sub -clause(ii), for the words “twenty or more workers”, the words “forty or more workers” shall be substituted.

Section 66. - In sub-section (1), for clause (b), the following clause shall be substituted:-

“(b) women shall be entitled to be employed in all establishments for all types of work and they may also be employed, with their consent before 6 A.M. and beyond 7 P.M. subject to such conditions, relating to safety, holidays and working hours or any other condition to be observed by the employer, as may be prescribed;”.

13. THE GOVERNMENT SECURITIES ACT, 2006

(38 of 2006)

Section 33 .— Omit.

14. THE HIGH COURT JUDGES (SALARIES AND CONDITIONS OF SERVICES) ACT, 1954

(28 of 1954)

Section 23C.— Omit.

15. THE HOMEOPATHY CENTRAL COUNCIL ACT, 1973

(59 of 1973)

Section 2.— Omit sub-section (2).

16. THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956
(104 of 1956)

Section 2A.— Omit.

17. THE INCOME-TAX ACT, 1961
(43 of 1961)

Section 269S.— Omit.

18. THE INDIAN MEDICINE CENTRAL COUNCIL ACT, 1970
(48 of 1970)

Section 2.— Omit sub-section (2).

19. THE INDIAN PENAL CODE
(45 of 1860)

Insertion of new section — After section 354D, insert —

Sextortion “354E.—(1) Whoever,—

- (a) being in a position of authority; or
- (b) being in a fiduciary relationship; or
- (c) being a public servant,

abuses such authority or fiduciary relationship or misuses his official position to employ physical or non physical forms of coercion to extort or demand sexual favours from any woman in exchange of some benefits or other favours that such person is empowered to grant or withhold, shall be guilty of offence of sextortion.

Explanation.—For the purposes of this section, ‘sexual favour’ shall mean and include any kind of unwanted sexual activity ranging from sexually suggestive conduct, sexually explicit actions such as touching, exposure of private body parts to sexual intercourse, including exposure over the electronic mode of communication.

(2) Any person who commits the offence of sextortion shall be punished with rigorous imprisonment for a term which shall not be less than three years but may extend to five years and with fine.”

20. THE INDUSTRIAL DISPUTES ACT, 1947

Section 2A.- In sub-section (3), for “three years”, substitute “one year”.

Section 25F.-In clause (b), for “fifteen days”, substitute “thirty days”.

Section 25K.-In sub-section (1), for “one hundred”, substitute “three hundred”.

Insertion of new section — After section 31, insert –

Compounding of offences.

“31A.(1) Any offence punishable under sections 25Q , 25R, 25U, 26, 27, 28, 29, 30A and sub-sections (1) and (2) of section 31 may, either before or after the institution of the prosecution, on an application by the alleged offender, be compounded by such officer or authority as the appropriate Government may, by notification in the Official Gazette, specify in this behalf for such amount as specified in the Table below:-

Table

S.N.	Section	Compounding amount	
1	2	3	
1	25Q	25 days wages last drawn by each workman.	
2	25R	60 days wages last drawn by each workman.	
3	25U	(i) By each workman Rs.150/- per day but not exceeding Rs. 3000/- in aggregate;	
		(ii) By employer Rs.300/- per day but not exceeding the amount in aggregate as shown below:	
		Number of workmen employed in the industry	Amount not exceeding
		1 to 50	Rs. 5000/-
		51 to 100	Rs. 8000/-
		101 to 500	Rs. 12000/-
		More than 500	Rs. 16000/-
4	26	(i) In case of illegal strike, Rs.150/- per day by each workman but not exceeding Rs.3000/- in aggregate;	
		(ii) In case of illegal lock-out, Rs. 300/- per day by an employer but not exceeding the amount in aggregate as shown below:	

		Number of workmen employed in the industry		Amount not exceeding			
		1 to 50	Rs. 5000/-				
		51 to 100	Rs. 8000/-				
		101 to 500	Rs. 12000/-				
		More than 500	Rs. 16000/-				
5	27 and 28	As per section 26 above for illegal strike and lockout.					
6	29	Rs. 200/- per day in respect of each of the workman.					
7	30A	25 days wages last drawn by each workman.					
8	31(1)	Number of workmen employed in the industry		For first occasion	For second occasion	For third occasion	
		1 to 50	Rs. 5000/-	Rs. 10,000/-	Rs. 15,000/-		
		51 to 100	Rs. 8000/-	Rs. 16,000/-	Rs.24,000/-		
		101 to 500	Rs. 12000/-	Rs.24,000/-	Rs.36,000-		
		More than 500	Rs. 16000/-	Rs.32,000-	Rs.48,000/-		
9	31(2)	(i) For each workman, for the first offence Rs.1000/- for the second offence Rs.2000/- and for the third offence Rs.3000/-					
		(ii) For employer:					
		Number of workmen employed in the industry		For first occasion	For second occasion	For third occasion	
		1 to 50	Rs. 1500	Rs. 3000	Rs. 6000		
		51 to 100	Rs.3000	Rs.6000	Rs.10000		
101 to 500	Rs.4000	Rs.8000	Rs.15000				
More than 500	Rs.5000	Rs.10000	Rs.20000:				

Provided that the appropriate Government may, by notification in the Official Gazette, amend the said specified compounding amount:

Provided further that the offences of the same nature committed by the same offender for more than three occasions shall not be compoundable:

Provided also that such offences shall be compoundable only after the alleged offender has acted to the satisfaction of such officer or authority that such offence is not continued any further:

Provided also that when an offence is compounded on an application by the employer, then the compounding amount received from him, shall be paid to the concerned workman or equally amongst the workman and if any workmen are not identifiable, then the remaining amount shall be deposited in such manner as may be notified by the appropriate Government.

(2) Where an offence has been compounded under sub-section (1), no further proceedings shall be taken against the offender in respect of such offence and the offender, if in custody, shall be released or discharged.”.

21. THE INDUSTRIAL EMPLOYMENT (STANDING ORDERS) ACT, 1946 (20 of 1946)

Insertion of new section — After section 13B, insert –

Compounding of offences.

“13C.—(1) Any offence punishable under the Act may, either before or after the institution of the prosecution, on an application by the alleged offender, be compounded by payment of compounding amount of not more than rupees fifty thousand, by such officer or authority as the appropriate Government may, by notification in the official Gazette, specify in this behalf for the amount of rupees fifty thousand:

Provided that the appropriate Government may, by notification in the Official Gazette, amend the said specified compounding amount:

Provided further that the offences of the same nature committed by the same offender for more than three occasions shall not be compoundable:

Provided also that such offences shall be compounded only after the alleged offender has acted to the satisfaction of such officer or authority that such offence is not continued any further.

(2) Where an offence has been compounded under sub-section (1), no further proceedings shall be taken against the offender in respect of such offence and the offender, if in custody, shall be released or discharged.”.

22. THE INSOLVENCY AND BANKRUPTCY CODE, 2016 (31 of 2016)

Section 1.— In sub-section (2), omit the proviso.

23. THE LIMITATION ACT, 1963**(36 of 1963)**

Insertion of new section — After section 30, insert —

Provision for suits, etc., for which prescribed period is shorter than period prescribed by Limitation Act, Samvat 1995.**“30-A. —Notwithstanding anything contained in this Act,—**

(a) any suit for which the period of limitation is shorter than the period of limitation prescribed by the Limitation Act, Samvat 1995, may be instituted within a period of one year next after the commencement of the Jammu and Kashmir Reorganisation Act, 2019(34 of 2019) or within the period prescribed for such suit by the Limitation Act, Samvat 1995, whichever period expires earlier:

Provided that if in respect of any such suit, the said period of one year expires earlier than period of limitation prescribed therefor under the Limitation Act, Samvat 1995 (now repealed) and the said period of one year together with so much of the period of limitation in respect of such suit under the said Act, as has already expired before the commencement of the Jammu and Kashmir Reorganisation Act, 2019(34 of 2019) is shorter than the period prescribed for such suit under the Limitation Act, 1963(36 of 1963), then, the suit may be instituted within the period of limitation prescribed therefor under the Limitation Act, 1963;

(b) Any appeal or application for which the period of limitation is shorter than the period of limitation prescribed by the Limitation Act, Samvat 1995, may be preferred or made within a period of ninety days next after the commencement of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019) or within the period prescribed for such appeal or application by the Limitation Act, Samvat 1995, whichever period expires earlier.”.

24. THE MOTOR TRANSPORT WORKERS ACT, 1961**(27 of 1961)**

After section 34, insert:-

Compounding of offences.

“34A. (1) Any offence punishable under sub-section (1) of section 29, section 31 and section 32 may, either before or after the institution of the prosecution, on an application by the alleged offender, be compounded by payment of compounding amount not more than five thousand rupees, by such officer or authority as the appropriate Government may, by notification in the official Gazette, specify in this behalf:

Provided that the appropriate Government may, by notification in the official Gazette, amend the said specified compounding amount:

Provided further that the offences of the same nature committed by the same offender for more than three occasions shall not be compoundable:

Provided also that such offences shall be compounded only after the alleged offender has acted to the satisfaction of such officer or authority that such offence is not continued any further:

Provided also that when an offence is compounded on an application by the employer, then seventy-five per cent of the compounding amount received from him, shall be paid wherever it is feasible to the concerned worker or equally amongst the workers and if any workmen are not identifiable then the remaining amount shall be deposited in such manner as may be notified by the appropriate Government.

(2) Where an offence has been compounded under sub-section (1), no further proceedings shall be taken against the offender in respect of such offence and the offender, if in custody, shall be released or discharged.”.

25. THE NATIONAL CO-OPERATIVE DEVELOPMENT CORPORATION ACT, 1962

(26 of 1962)

Section 2A.— Omit.

26. THE OFFICIAL LANGUAGES ACT, 1963

(19 of 1963)

Section 9.— Omit.

27. THE PHARMACY ACT, 1948

(8 of 1948)

Insertion of new section — After section 32B, insert —

Special provisions regarding persons registered under Jammu and Kashmir Pharmacy Act, Samvat, 2011 (1955 A.D).

“32C. — Notwithstanding anything contained in section 32, any person whose name has been entered in the register of pharmacists maintained under the Jammu and Kashmir Pharmacy Act, 2011 (1955 A.D) and possesses qualification prescribed under the said Act shall be deemed to have been entered in the register of pharmacists prepared and maintained under Chapter IV of this Act, subject to an application to be made in this behalf within a period of one year commencing from 1st day of the January,2020 and payment of such fee as may be prescribed by the Administration of the Union territory of Ladakh.”.

28. THE PRESS COUNCIL ACT, 1978
(37 of 1978)

Section 3.— Omit “Jammu and Kashmir or”.

29. THE PUBLIC DEBT ACT, 1944
(18 of 1944)

Section 31.— Omit.

30. THE RAILWAY PROPERTY (UNLAWFUL POSSESSION) ACT, 1966
(29 of 1966)

Section 15 .— Omit.

31. THE SALES PROMOTION EMPLOYEES (CONDITIONS OF SERVICE) ACT, 1976
(11 of 1976)

Insertion of new section — After section 9, insert —

Compounding of offences.

“9A. (1) Any offence punishable under section 4, 5 and 7 or any rules made under this Act may, either before or after the institution of the prosecution, on an application by the alleged offender, be compounded by payment of compounding amount not more than fifty thousand by such officer or authority as the appropriate Government may, by notification in the Official Gazette, specify in this behalf:

Provided that the appropriate Government may, by notification in the Official Gazette, amend the said specified compounding amount:

Provided further that the offences of the same nature committed by the same offender for more than three occasions shall not be compoundable:

Provided also that such offences shall be compounded only after the alleged offender has acted to the satisfaction of such officer or authority that such offence is not continued any further:

(2) Where an offence has been compounded under sub-section (1), no further proceedings shall be taken against the offender in respect of such offence in respect of such offence and the offender, if in custody, shall be released or discharged.”.

**32. THE STREET VENDORS (PROTECTION OF LIVELIHOOD AND REGULATION OF STREET VENDING) ACT, 2014
(7 of 2014)**

Section 1.- In sub-section (2), omit ‘except the State of Jammu and Kashmir’.

**33. THE TEXTILES COMMITTEE ACT, 1963
(41 of 1963)**

Section 2A.— Omit.

**34. THE TRADE UNIONS ACT, 1926
(16 of 1926)**

Section 9.- After “certificate of registration”, “insert with in a period not exceeding thirty days subject to the fulfillment of other provisions of this Act”.

**35. THE ALL INDIA SERVICES ACT, 1951
(61 of 1951)**

Section 3.— In sub-section (1), omit “including the State of Jammu and Kashmir”.

**36. THE CENTRAL GOODS AND SERVICES TAX ACT, 2017
(12 of 2017)**

Section 2.— (i) in clause (114), in sub-clause (e), omit “and” and after sub-clause (e), insert –

“(ea) Ladakh; and”; and

(ii) omit clause (121).

**37. THE FAMILY COURTS ACT, 1984
(66 of 1984)**

Section 1— In sub-section (2), omit “except the State of Jammu and Kashmir”.

Section 19.— Omit sub-section (6).

38. THE COURT-FEES ACT, 1870

(7 of 1870)

Section 26.— Numbered as sub-section (1) thereof, and after sub-section (1) as so numbered, insert –

‘(2) For the purposes of sub-section (1), and section 25, “stamp” means any mark, seal or endorsement by any agency or person duly authorised by the Appropriate Government, and includes an adhesive or impressed stamp, for the purposes of court fee chargeable under this Act.

Explanation 1.—The expression “impressed stamp” includes impression by a franking machine or another machine, or a unique number generated by e-stamping or similar software, as the Appropriate Government may, by notification in the Official Gazette, specify.’

Explanation 2.— The expression “e-stamping” means stamping using unique number or code through an electronic machine or a software application’.

39. THE INDIAN FOREST ACT, 1927

(16 of 1927)

Section 2.— (i) For clause (1), substitute –

‘(1) “**authorised officer**” means an officer authorised under sub-section (2) of section 52;

(1A) “**cattle**” include elephants, camels, buffaloes, horses, mares, geldings, ponies, colts, fillies, mules, asses, pigs, ram, ewes, sheep, lambs, goats and kids;

(1B) “**forest based industry**” means an industry or unit in which any forest produce is used as raw material or as a source of energy;’;

(ii) for clause (4), substitute –

‘(4) “**forest-produce**” includes—

(a) timber, charcoal, caoutchouc, catechu, wood-oil, resin, natural varnish, bark, lac, kuth, myrobalans, dioscorea, firewood, humus, rasaunt, morels (*Morchellaspp*), *Aconitum spp*, *Podophyllum spp*, *Picrorhizaspp*, *Trillium spp*, *Nardostachyspp*, *Taxus spp*, *Valerianassp*, *Rheum spp*, wild animals, skins, tusks, horns, bones and all other parts or produce of wild animals whether found in, or brought from, a forest or not; and

(b) the following when found in, or brought from, a forest, namely:—

(i) trees and leaves, flowers and fruits, roots and all other parts or produce of trees not specified in clause (a);

(ii) plants not being trees (including grass, bamboos, creepers, reeds and moss and lichen), and all parts or produce of such plants;

(iii) silk, cocoons, honey and wax; and

- (iv) peat, surface soil, rock, and minerals (including limestone, laterite, mineral oils, and all products of mines or quarries);;
- (iii) after clause (5), insert -
 ‘(5A) "saw mill" means any plant and machinery with which and the premises (including the precincts thereof) in which or in any part of which sawing is carried on with the aid of electrical or mechanical power;’;
- (iv) after clause (6), insert -
 ‘(6A) "transporter" includes a person, private agency, Department of the Union territory of Ladakh, Corporation or any other agency engaged in transport of forest produce whether on his own or on behalf of any other person;’;
- (v) after clause (7), insert -
 ‘(8) “wild animal” shall have the same meaning as assigned to it in the Wild Life (Protection) Act, 1972.’.

Insertion of new section – After section 20, insert –

“20A.

Demarcated forests deemed to be reserved forests.

(1) Notwithstanding anything contained in this Act or any other law for the time being in force, any land which was recorded as Revenue Garden (Ladakh) and transferred to the Forest Department in accordance with the Government of Jammu and Kashmir Order Number 69 of 1962, dated the 29th September, prior to the appointed day notified under the Jammu and Kashmir Reorganisation Act, 2019(34 of 2019), shall be deemed to be a reserved forest under this Act.

(2) All questions decided, orders issued and records prepared in connection with the constitution of such forest as demarcated forests shall be deemed to have been decided, issued and prepared under this Act, and the provisions of this Act relating to reserved forests shall apply to forest to which the provision of sub-section (1) are applicable”.

Section 26. – In sub-section (1),–

- (i) in clause (e), for “dragging” substitute “dragging or removing”;
- (ii) in clause (f), for “the same” substitute “the same or any forest produce”;
- (iii) for clause (h), substitute —
 “(h) clears or breaks up any land or erects a fence, enclosure or any structure for cultivation or cultivates or attempts to cultivate any land in any other manner in any reserved forest, or for any other purpose”;
- (iv) in the long line, for “six months, or with fine which may extend to five hundred rupees,” substitute “two years, or with fine which may extend to twenty -five thousand rupees.”.

Section 28.–

- (i) In sub-section (1), for “reserved forest”, substitute “reserved forest or declared a protected forest or is a land which has been entered in settlement records as khalsa land”;
- (ii) in sub-section (3), after “reserved forests”, insert “or protected forests, as the case may be”.

After section 29, insert –

Undemarcated

“29A. (1) Notwithstanding anything contained in this Act or any other law for

forests deemed to be protected forests.

the time being in force, any undemarcated forest (which means and includes all forest land other than demarcated forest which is the property of the Administration of the Union territory of Ladakh and is not appropriated for any specific purpose and includes all the undemarcated and berun line forest vested in the Forest Department under the provisions of section 48 of the Jammu and Kashmir Village Panchayat Act, 1958 or any other law for the time being in force), prior to the appointed day notified under the Jammu and Kashmir Reorganisation Act, 2019(34 of 2019), shall be deemed to be a protected forest under this Act.

(2) All questions decided, orders issued and records prepared in connection with the constitution of such forest as undemarcated forests shall be deemed to have been decided, issued and prepared under this Act, and the provisions of this Act relating to protected forests shall apply to forest to which the provision of sub-section (1) are applicable.”.

Section 33.— In sub section (1),—

- (i) in clause (c), after “or clears”, insert “or attempts to break-up or clear”;
- (ii) in clause (f), after “drags” , insert “or removes”;
- (iii) in the long line for “six months, or with fine which may extend to five hundred rupees”, substitute “two years, or with fine which may extend to twenty-five thousand rupees”.

Section 42.— In sub-section (1), for “six months” and “five hundred rupees”, substitute “two years” and “twenty-five thousand rupees” respectively.

Section 51.— In sub-section (2), for “six months, or with fine which may extend to five hundred rupees”, substitute “two years, or with fine which may extend to twenty-five thousand rupees”.

Section 52.— For section 52, substitute .—

Seizure of property liable to confiscation and procedure thereof.

“52.(1)When there is reason to believe that a forest offence has been committed in respect of any reserved forest, protected forest, village forest or forest produce, the forest produce, together with all tools, arms, boats, carts, equipment, ropes, chains, machines, vehicles, cattle or any other article used in committing any such offence, may be seized by a forest officer or police officer.

(2) Every officer seizing any property under this section shall place on such property a mark indicating that the same has been so seized and shall, as soon as may be, make a report of such seizure before an officer not below the rank of the Divisional Forest Officer (hereinafter referred to as the 'authorised officer'):

Provided that when the forest produce with respect to which such offence is believed to have been committed is the property of the Administration of the Union territory of Ladakh and the offender is unknown, it shall be sufficient if the officer makes, as soon as may be, a report of the circumstances to his official superior.

(3) Subject to sub-section (5), where the authorised officer upon receipt of report about seizure, is satisfied that a forest offence has been committed in respect thereof, he may, by order in writing and for reasons to be recorded, confiscate forest produce so seized together with all tools, arms, boats, carts, equipment, ropes, chains, machines, vehicles, cattle or any other article used in committing such offence and a copy of the order of confiscation shall be forwarded without any undue delay to the person from whom the property is seized and to the Conservator of Forest Circle in which the forest produce, tools, arms, boats, carts, equipment, ropes, chains, machines, vehicles, cattle or any other article as the case

may be, has been seized.

(4) No order confiscating any property shall be made under sub-section (3) unless the authorised officer,—

(a) sends an intimation in writing about initiation of proceedings for confiscation of the property to the Magistrate having jurisdiction to try the offence on account of which the seizure has been made;

(b) issues a notice in writing to the person from whom the property is seized and to any other person who may, in the opinion of the authorised officer have some interest in such property;

(c) affords an opportunity to the persons referred to in clause (b) of making a representation within such reasonable time as may be specified in the notice against the proposed confiscation; and

(d) gives to the officer effecting the seizure and the person or persons to whom notice has been issued under clause (b), a hearing on date to be fixed for such purpose.

(5) No order of confiscation under sub-section (3) of any tools, arms, boats, carts, equipment, ropes, chains, machines, vehicles, cattle or any other article (other than timber or forest produce seized) shall be made if any person referred to in clause (b) of sub-section (4) proves to the satisfaction of authorised officer that any such tools, arms, boats, carts, equipment, ropes, chains, machines, vehicles, cattle or any other article were used without his knowledge or connivance or, as the case may be, without the knowledge or connivance of his servant or agent and that all reasonable and necessary precautions had been taken against the use of objects aforesaid for commission of forest offence.

(6) Where the cattle are involved in the commission of a forest offence, the same after seizure by any officer, shall be entrusted to any responsible person under a proper receipt on an undertaking to produce the same when required in case there is no cattle pound within a radius of five kilometres from the place of such offence:

Provided that notwithstanding anything contained in section 57, in case of unclaimed cattle a forest officer not below the rank of Range Officer, after giving sufficient publicity in the vicinity of the place of offence for the owner to come forward to claim the cattle within seven days from the date when such publicity has been given, may dispose them of by public auction.

(7) The provisions of the Cattle Trespass Act, 1871 (1 of 1871), shall apply in respect of the charges to be levied for the upkeep and fee of the cattle.

**Revision
before Court
of Sessions
against order
of
confiscation.**

52A. (1) Any party aggrieved by an order of confiscation under section 52 may within thirty days of the order or if facts of the confiscation have not been communicated to him, within thirty days of knowledge of such order submit a petition for revision to the Court of Sessions Division whereof the headquarters of authorised officer are situated.

Explanation for the purposes of this sub-section - (i) in computing the period of thirty days under this sub-section, the time required for obtaining certified copy of

the order of authorised officer shall be excluded;

(ii) a party shall be deemed to have knowledge of the order of confiscation under section 52 on publication of such order in two daily newspapers having circulation in the Union territory.

(2) The Court of Sessions may confirm, reverse or modify any final order of confiscation passed by the authorised officer.

(3) Copies of the order passed in revision shall be sent to the authorised officer for compliance or passing such further order or for taking such further orders or for taking such further action as may be directed by such Court.

(4) For entertaining, hearing and deciding a revision under this section, the Court of Sessions shall, as far as may be, exercise the same powers and follow the same procedure as it exercises and follows while entertaining, hearing and deciding a revision under the Code of Criminal Procedure, 1973(2 of 1974).

(5) Notwithstanding anything to the contrary contained in the Code of Criminal Procedure, 1973 (2 of 1974), the order of Court of Sessions passed under this section shall be final and shall not be called in question before any Court.

Bar to jurisdiction of Courts, etc. under certain circumstances.

52B. (1) On receipt of report under sub-section (4) of section 52 about intimation of proceedings for confiscation of property by the Magistrate having jurisdiction to try the offence on account of which the seizure of property which is subject matter of confiscation, has been made, no Court, Tribunal or Authority (other than authorised officer and Court of Sessions referred to in sections 52 and 52A shall have jurisdiction to make orders with regard to possession, delivery, disposal or distribution of the property in regard to which proceedings for confiscation are initiated under section 52, notwithstanding anything to the contrary contained in this Act, or any other law for the time being in force.

Explanation.— Where under any law for the time being in force, two or more Courts have jurisdiction to try the forest offences, then receipt of intimation under sub-section (4) of section 52 by one of the Courts shall operate as bar to exercise jurisdiction on all such other Courts.

(2) Nothing contained in sub-section (1) shall affect the power saved under section 61 of this Act.

Power of search and seizure.

52C. (1) Any forest officer or police officer may, if he has reason to believe that a vehicle has been or is being used for the transport of forest produce in respect of which there is reason to believe that a forest offence has been or is being committed, require the driver or other person in charge of such vehicle to stop the vehicle and cause it to remain stationary as long as may reasonably be necessary to examine the contents in the vehicle and inspect all records relating to the goods carried which are in the possession of such driver or other person in charge of the vehicle.

(2) Any forest officer not below the rank of Range Officer, having reasonable grounds to believe that forest produce is, in contravention of the provisions of this Act, in the possession of a person in any place, may enter such place with the object of carrying out a search for the forest produce and its confiscation:

Provided that such search shall not be conducted otherwise than in accordance with the provisions of the Code of Criminal Procedure, 1973(2 of

1974).

Penalty for forcibly opposing seizure.

52D. Whosoever opposes the seizure of any forest-produce, tools, arms, boats, carts, equipment, ropes, chains, machines, vehicles, cattle or any other article liable to be seized under this Act, or forcibly receives the same after seizure, shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to twenty- five thousand rupees, or with both.”.

Section 53 — For section 53, substitute –

Power to release property seized under section 52.

“53. Any forest officer of a rank not inferior to that of a Range Officer, who, or whose subordinate, has seized any tools, arms, boats, carts, equipment, ropes, chains, machines, vehicles, cattle or any other article used in committing any forest offence, including the forest produce, under section 52, may release the same on the execution by the owner thereof, of a security in a form of a bank guarantee, of an amount not less than the value of such property, as estimated by such officer, for the production of the property so released when so required by the Magistrate having jurisdiction to try the offence or by the authorised officer empowered under sub-section (2) of section 52, on account of which the seizure has been made:

Provided that when any forest produce is seized at a remote location from where it is not practicable to transport it immediately, the officer who, or whose subordinate has effected such seizure under section 52, may entrust the same (Supardnama) to any responsible person on the execution of a bond thereof, by such person, for the production of the property so entrusted if and when required by the Magistrate having jurisdiction to try the offence or before the authorised officer empowered under sub-section (2) of section 52, on account of which the seizure has been made.”.

Section 54 — For section 54, substitute -

Receipt of report of seizure by Magistrate and procedure thereupon.

“54. Upon the receipt of any report under sub-section (4) of section 52, the Magistrate shall, with all convenient dispatch, take such measures as may be necessary for the arrest and trial of the offender and the disposal of the property according to law:

Provided that before passing any order for disposal of property, the Magistrate shall satisfy himself that no intimation under sub-section (4) of section 52 has been received by his court or by any other court having jurisdiction to try the offence on account of which the seizure of property has been made.”.

Section 55.-

For sub-section (1), substitute —

“(1) All timber or forest produce which in either case is not the property of the Administration of the Union territory of Ladakh and in respect of which a forest offence has been committed, and all tools, arms, boats, carts, equipment, ropes, chains, machines, vehicles, cattle or any other article, in each case used in committing any forest offence shall, subject to the provisions of sections 52, 52A and 52B, be liable to confiscation upon conviction of the offender for such offence.”.

Section 56.-

For “When the trial of”, substitute “Without prejudice to the provisions of section 52C, when the trial of”.

Section 57 — For section 57, substitute –

Procedure when offender is not known or cannot be found.

“57. When the offender is not known or cannot be found the Magistrate may, if he finds that an offence has been committed, but subject to section 52B, order the property in respect of which offence has been committed, to be confiscated or forfeited together with all tools, arms, boats, carts, equipment, ropes, chains, machines, vehicles, cattle or any other article used in committing the offence, and taken charge of by the forest officer, or to be made over to the person whom the Magistrate deems to be entitled to the same:

Provided that, no such order shall be made until the expiration of one month from the date of seizing such property or without hearing the person, if any, claiming any right thereto, and the evidence, if any, which he may produce in support of his claim.”.

Section 58 — For section 58, substitute —

Procedure as to perishable property seized under section 52.

58. The authorised officer under sub-section (2) of section 52, or the Magistrate may, notwithstanding anything hereinbefore contained, direct the sale of any property seized under section 52 and subject to speedy and natural decay, and may deal with the proceeds as he would have dealt had it not been sold.”.

Section 60.—

Numbered as sub-section (2) thereof and before sub-section (2) as so numbered, insert —

“(1) Property ordered to be confiscated by an authorised officer under section 52, subject to the result of revision before Court of Sessions under section 52A shall upon conclusion of proceedings in revision, vest in the Administration of the Union territory of Ladakh free from all encumbrances:

Provided that if no revision is preferred under section 52A, such vesting shall take effect on expiry of period specified for the submitting petition for revision under section 52A.”.

Section 63.—

For “or with fine”, substitute “or with fine which may extend to twenty-five thousand rupees”.

Insertion of new section — After section 64, insert —

Offences to be non-bailable.

“64A. Notwithstanding anything contained in this Act or in the Code of Criminal Procedure, 1973 (2 of 1974), all offences under this Act other than those compoundable under section 68 shall be non-bailable.”.

Insertion of new sections — After section 65, insert —

Requisition for police assistance.

“65A. Any forest officer may requisition the services of any police officer to assist him for all or any of the purposes specified in sections 52, 63 and 64 and it shall be the duty of every such officer to comply with such requisition.

Police officers bound to seek technical clearance from authorised officer.

65B. Any police officer seizing any property under the provisions of this Act or rules framed there under shall be bound to seek technical clearance of the authorised officer to lodge a complaint to the magistrate under section 52 of this Act.”.

Section 67.— For “not exceeding six months, or fine not exceeding five hundred rupees”, substitute “not exceeding two years or with fine not exceeding twenty -five thousand rupees”.

Section 68 — For section 68, substitute –

Power to compound offences. to 68.(1) The Administration of the Union territory of Ladakh may, by notification in the Official Gazette, empower any forest officer not below the rank of Assistant Conservator of Forests-

(a) to accept from any person against whom a reasonable suspicion exists, that he has committed any forest offence involving damage not exceeding fifty thousand rupees, other than an offence specified in section 62 or section 63, a sum of money by way of compensation for the offence, which such person is suspected to have committed:

Provided that the sum of money accepted by way of compensation shall in no case be less than double the amount involved in the loss caused by such offence; and

(b) when any property has been seized as liable to confiscation, to release the same on payment of the value thereof, in addition to the compensation referred to in clause (a) of this sub-section, as estimated by such officer.

(2) On the payment of such compensation and such value, to such officer, the suspected person if in custody, shall be discharged, the property, if any, seized shall be released, and no further proceedings shall be taken against such person or property.”.

Section 69.— For “contrary is proved”, substitute “contrary is proved by the accused”.

Insertion of new section — After section 69, insert –

Double penalties for offences. “69A. The penalties which are double of those mentioned under the provisions of this Act or rules framed thereunder shall be inflicted in cases where the offence is committed after sunset and before sunrise, or after preparation for resistance to lawful authority or where the offender has been previously convicted of a like offence.”.

Section 71.— For “ten rupees”, “two rupees”, “one rupee” and “eight annas”, substitute “one thousand rupees”, “two hundred and fifty rupees”, “one hundred rupees” and “fifty rupees” respectively.

Section 72. — For section 72, substitute –

Powers of forest officers. “72. (1) The forest officers shall have the following powers, namely:-

- (a) power to enter upon any land and to survey, demarcate and make a map of the same;
- (b) powers of a Civil Court to compel the attendance of witnesses and the production of documents and material objects;
- (c) power to hold an inquiry into forest offences and in the course of such inquiry, to receive and record evidence; and
- (d) power to issue search warrants under the Code of Criminal Procedure, 1973 (2 of 1974):

Provided that powers under clause (b) and (c) shall not be exercised by a forest officer below the rank of a Range Officer:

Provided further that the powers under clause (d) shall not be exercised by a forest officer below the rank of a Divisional Forest Officer.

(2) Any evidence recorded under clause (c) of sub-section (1) shall be admissible in any subsequent trial before a Magistrate, if it has been taken in the presence of the accused person.

(3) Any forest officer not below the rank of a Range Officer may delegate his powers of inquiry to an officer of the rank of Forester if the offence is compoundable under section 68.”.

Section 74.— For section 74, substitute –

Indemnity for acts done in good faith.

“74 (1) No suit, prosecution or other legal proceedings shall lie against any public servant for anything done in good faith or omitted to be done likewise, under this Act or the rules or orders made thereunder.

(2) No Court shall take cognizance of any offence alleged to have been committed by a forest officer while acting or purporting to act in the discharge of his official duty except with the previous sanction of the Administration of the Union territory of Ladakh.”.

Insertion of new sections — After section 76, insert -

Power to regulate manufacture and preparation of articles based on forest produce.

“76A. (1) The Administration of the Union territory of Ladakh may make rules—

(a) to provide for the establishment, and regulation by licence, permit or otherwise (and the payment of fees thereof), of saw mills, timber depots, firewood depots and other units including the factories or industries engaged in the consumption of forest produce or manufacture or preparation of the following articles:-

- (i) katha (catechu) or kutch out of khairwood;
- (ii) rosin, turpentine, other products out of resin, and wood oil;
- (iii) plywood, veneer and wood-based products;
- (iv) match boxes and match splints;
- (v) boxes including packing cases made out of wood;
- (vi) joinery and furniture items made out of wood;
- (vii) charcoal, lime stone and gypsum;
- (viii) such other articles based on forest produce as the Administration of the Union territory of Ladakh may, by notification in the Official Gazette, from time to time, specify;

(b) to provide for the regulation by licence, permit or otherwise, of procurement of raw material for the preparation of articles mentioned in clause (a), the payment and deposit of fees therefor and for due compliance of the condition thereof, the forfeiture of the fees so deposited or any part thereof for contravention of any such condition and adjudication of such

forfeiture by such authority as the Administration of the Union territory of Ladakh may, by notification, specify.

(2) The Administration of the Union territory of Ladakh may provide that, the contravention of any rules made under this section shall be punishable with imprisonment for a term which may extend to two years or with fine which may extend to twenty- five thousand rupees, or with both”.

Section 77.— For “extend to one month, or fine which may extend to five hundred rupees”, substitute “extend to two years or with fine which may extend to twenty -five thousand rupees”.

Section 79.— In sub-section (2), in the long line, for “shall be punishable with imprisonment for a term which may extend to one month, or with fine which may extend to two hundred rupees”, substitute “shall be punishable with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees”.

Insertion of new sections — After section 79, insert –

Penalty for unauthorisedly taking possession of land constituted as reserved or protected forest.

79A (1) Any person who unauthorisedly takes or remains in possession of any land in areas constituted as reserved forest or protected forest under section 20 or section 29, as the case may be, may, without prejudice to any other action that may be taken against him under any other provision of this Act, be summarily ejected by order of a forest officer not below the rank of a Divisional Forest Officer and any crop which may be standing on such land or any building or other work which he may have constructed thereon, if not removed by him within such time as such forest officer may fix, shall be liable to forfeiture:

Provided that no order of ejection under this sub-section shall be passed unless the person proposed to be ejected is given a reasonable opportunity of showing cause why such an order should not be passed.

(2) Any property so forfeited shall be disposed of in such manner as the forest officer may direct and the cost of removal of any crop, building or other work and, of all works necessary to restore the land to its original condition shall be recoverable from such person in the manner provided in section 82.

(3) Any person aggrieved by an order of the forest officer under sub-section (1) may, within sixty days from the date of such order prefer an appeal by petition in writing to the concerned Chief Conservator of Forests in person or through a duly authorised agent and such petition shall be accompanied by a certified copy of the order appealed against.

(4) On receipt of the appeal and after summoning the parties and perusing the record of the proceedings, the Chief Conservator of Forests shall fix a date and convenient place for hearing the appeal and shall give notice thereof to the parties, and shall hear the appeal accordingly.

(5) The order passed on the appeal by the Chief Conservator of Forests shall be final.

Summary action by Deputy Commissioner in fire cases.

79B. If in any case under clauses (a) and (b) of sub-section (1) of section 79, it appears to the Deputy Commissioner of the district within which the forest concerned is situated after local enquiry made in a summary and administrative manner, either by himself, or through a Tehsildar deputed by him for the purpose, that any such person or village or other community has neglected to give such information or to render such assistance as is required thereby, he may impose a fine not exceeding one thousand rupees on, as well as direct payment

of compensation for damage to property of the Union territory of Ladakh by, such person, village or other community or such individual member of such village or other community as may be determined in consultation with the Divisional Forest Officer and all fines imposed under this section shall be recoverable as arrears of land revenue.

Appeal against order of Deputy Commissioner. 79C. An appeal against every order passed under section 79B may be made to the concerned Divisional Commissioner whose decision thereon shall be final.”.

Substitution of section 82 — For section 82, substitute .—

Recovery of money due to Administration of Union territory of Ladakh. “82. All money payable to the Administration of the Union territory of Ladakh under this Act or under any rule made thereunder, or on account of the price of timber, or other forest produce, or of expenses incurred in execution of this Act in respect of timber and other forest produce, or under any contract relating to timber and other forest produce including any sum recoverable there under for breach thereof, or in consequence of its cancellation, or under the terms of a notice relating to the sale of timber or other forest produce by auction or by invitation of tenders, issued by or under authority of a forest officer and all compensation awarded to the Administration of the Union territory of Ladakh under this Act shall, if not paid when due, be recovered, under the law for the time being in force, as if it were an arrear of land revenue.”.

Recovery of penalties due under bond. 82A. When in respect of any forest lease any person binds himself by any bond or instrument to perform any duty or act, or covenants by any bond or instrument that he, or that he and his servant and agent will abstain from any act, the whole sum mentioned in such bond or instrument as the amount to be paid in case of a breach of the conditions thereof shall notwithstanding anything in section 74 of the Indian Contract Act, 1872(9 of 1872), be recovered from him in case of such breach as if it were an arrear of land revenue.

Restoration of advantage or benefit or payment of compensation. 82B. Notwithstanding anything contained in this Act or in the Indian Contract Act, 1872(9 of 1872), or in any other law for the time being in force,—

(a) where any transaction or lease relating to sale of forest produce or extraction of timber from any forest is or is discovered to be void only on the ground that the transaction or lease is not in conformity with the provisions of article 299 of the Constitution or any order or direction issued thereunder, any person who has received any advantage or has enjoyed any benefit by virtue of such transaction or lease shall be bound to restore it or to make compensation for it, to the person or party from whom he received it;

(b) the extent of any advantage or benefit or the amount of compensation payable in lieu thereof, referred to in clause (a), shall be determined in accordance with the provisions of this Act and the value of the advantage or benefit or the amount of compensation so determined shall be recoverable as arrears of land revenue.

Constitution of Authority. 82C. For the purposes of determining the extent of advantage or benefit or the value thereof or the amount of compensation under section 82B, the Administration of the Union territory of Ladakh shall, by notification in the

Official Gazette, constitute, as and when necessary, an Authority consisting of one or more members having such qualification and experience and on such terms and conditions as may be prescribed and where the Authority consists of more than one member, one of them may be appointed as Chairperson thereof.

Powers of Authority.

82D. (1) The Authority shall, for purposes of holding inquiry for determining the extent of advantage or benefit or value thereof or the amount of compensation, as the case may be, under section 82B, have all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908(5 of 1908) in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person or witness and examining him on oath or solemn affirmation;
- (b) requiring the discovery or production of any document relating to the subject matter of inquiry;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof relating to the subject matter of inquiry from any court or office; and
- (e) issuing commissions for examination of witnesses, documents or other books of accounts relating to the subject matter of inquiry.

(2) The Authority shall also have power to issue a commission to such person as it considers fit for local investigation which may be requisite or proper for the purpose of elucidating any matter which is the subject matter of inquiry or of ascertaining the market value of any property.

(3) The person directed to execute a commission for any purpose under this section shall have all the powers of a commissioner appointed by a Civil Court in pursuance of the provisions of the Code of Civil Procedure, 1908 (5 of 1908).

(4) The Authority shall have the power to pass such orders as it thinks fit for the seizure, attachment, management, preservation, interim custody or sale of any forest produce or timber (wherever it may be in the Union territory) which may be the subject matter of proceedings before it including the appointment of a receiver for any of the aforesaid purposes.

Restriction on alienation.

82E. (1) Notwithstanding anything contained in any law for the time being in force,—

- (a) where at any stage of the inquiry, the Authority is satisfied by affidavit or otherwise that a person liable to restore any advantage or benefit or to pay compensation in lieu thereof under any transaction or lease referred to in section 82B, is likely to alienate his movable or immovable property with intent to evade payment or to defeat the recovery, of the advantage or benefit or the value thereof or the amount of compensation, that may be determined by him, it may by order in writing direct that such person shall not alienate his movable and immovable property or such portion thereof, as it may specify in the order, during the pendency of the inquiry;
- (b) any alienation of property made in contravention of any order or

direction issued under clause (a) shall be void, and no transferee of such property shall be deemed to have acquired any right, title or interest therein.

Explanation.—For the purposes of this section "alienation" includes mortgage, sale, gift, bequest, benami transaction, family settlement or any other mode of transfer of any right, title or interest in the property.

(2) For removal of doubts it is hereby declared that restrictions imposed under this section on the rights conferred by clause (1) of article 19 of the Constitution shall be deemed to be reasonable restrictions.

Procedure to be followed by Authority. 82F. (1) The Authority shall, subject to any rules made by the Administration of the Union territory of Ladakh in this behalf, have power to regulate its own procedure in all matters arising out of or connected with the discharge of its functions, in consonance with the principles of natural justice.

(2) The parties shall have a right of being represented by counsel.

Appeal. 82G. (1) Any person aggrieved by a final order of the Authority, determining the extent of advantage or benefit or value thereof or the amount of compensation under section 82B, may, within thirty days of the date of the order, file an appeal against such order before the High Court of Jammu and Kashmir and every such appeal shall be heard by a Division Bench of the High Court.

(2) No other order of the Authority shall be appealable.

(3) The order of the Authority shall, subject to the decision of the High Court under sub-section (1) in appeal, be final and shall be deemed to be a certificate within the meaning of section 90 of the Jammu and Kashmir Land Revenue Act, 1996.

(4) No further appeal shall lie against the decision of the High Court.

Bar of jurisdiction of Civil Court. 82H. No Civil Court shall have jurisdiction to entertain any suit or other proceeding in respect of any matter which the Authority has taken cognizance of under section 82B.”

Insertion of new section — After section 83, insert —

Restriction on alienation by forest lessee, etc. “83A. (1) Notwithstanding anything contained in the Transfer of Property Act 1882(4 of 1882), or in any other law for the time being in force, no property offered by a forest lessee or by any other person on behalf of a forest lessee, as security for payment of royalty, interest, compensation, penalty or any other amount chargeable from the forest lessee, under any lease deed, bond or instrument shall be alienated without the previous permission of the Administration of the Union territory of Ladakh, till such time as the Chief Conservator of Forests certifies that such forest lessee has duly performed all the obligations devolving upon him under such lease deed, bond or instrument.

(2) Any alienation of property made in contravention of sub-section (1) shall be void, and no transferee of such property shall be deemed to have acquired any right, title or interest therein.

(3) Any amount of royalty, interest, compensation or penalty or any other sum

falling due from a forest lessee under any lease deed, bond or instrument shall be recoverable as arrears of land revenue in accordance with the law for the time being in force, from the property offered by him or on his behalf as security and from any other movable or immovable property owned by the forest lessee.

Explanation.— For the purposes of this section, the expression—

- (a) "alienation" includes sale, gift, exchange, bequest, mortgage, benami transaction, family settlement or any other mode of transfer of any right, title or interest therein or creation of any encumbrance thereon;
- (b) "forest lessee" shall be construed to mean a person in whose favour a right to convert and remove forest produce from any forest has been granted under any lease deed, bond or instrument.

(4) For removal of doubts it is hereby declared that restriction imposed under this section on the rights conferred by clause (1) of article 19 of the Constitution shall be deemed to be reasonable restrictions.”.

Insertion of new section — After section 84, insert -

Application of Act to land. “84A. The Administration of the Union territory of Ladakh may, by notification in the Official Gazette, declare that any of the provisions of this Act shall apply to any land which is the property of the Administration of the Union territory of Ladakh or the Central Government, and thereupon such provisions shall apply to such land accordingly.”.

40. THE CINEMATOGRAH ACT, 1952 (37 of 1952)

Section 1 .— In sub-section (3), omit the proviso.

Section 2A .— Omit.

41. THE PRESS AND REGISTRATION OF BOOKS ACT, 1867 (25 of 1867)

Section 1.— Omit sub-section (2).

Section 5A.- Omit.

42. THE PROTECTION OF HUMAN RIGHTS ACT, 1993 (10 of 1994)

Section 2.- Omit sub-section (2).

- Section 21.—**
- (i) In sub-section (5), omit the second proviso;
 - (ii) In sub-section (7), for “other than Union territory of Delhi” substitute “other than Union territory of Delhi, Union territory of Jammu and Kashmir and Union territory of Ladakh”; and
 - (iii) In sub-section (8), for “Union territory of Delhi” substitute “Union territory of Delhi, Union territory of Jammu and Kashmir and Union territory of Ladakh”.

43. THE SECURITISATION AND RECONSTRUCTION OF FINANCIAL ASSETS AND ENFORCEMENT OF SECURITY INTEREST ACT, 2002 (54 of 2002)

Section 13.- In sub-section (3A), in the proviso, omit "or the Court of District Judge under section 17A".

Section 17A and section 18B.— Omit.

- Section 18C.—
- (a) In sub-section (1), omit, –
 - (i) "or section 17A" and "or section 18B"; and
 - (ii) "or the court of District Judge" and "or the High Court" wherever they occur;
 - (b) in sub-section (3) omit "or the court of District Judge" and "or the High Court".

section 19- In section 19,-

- (i) omit "or the court of District Judge", "or the High Court" and "or the High Court referred to in section 18B";
- (ii) omit 'or section 17A" and "or section 18A".

[F. No. 11012/21/2020-SRA]

AJAY KUMAR BHALLA, Home Secy.

आदेश

नई दिल्ली, 23 अक्टूबर, 2020

का.आ. 3775(अ).—केन्द्रीय सरकार, जम्मू-कश्मीर पुनर्गठन अधिनियम, 2019 (2019 का 34) की धारा 96 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए लद्दाख संघ राज्यक्षेत्र के संबंध में निम्नलिखित आदेश करती है, अर्थात्-

1. (1) इस आदेश का संक्षिप्त नाम लद्दाख संघ राज्यक्षेत्र पुनर्गठन (राज्य विधियों का अनुकूलन) आदेश 2020 है।
- (2) यह इसके राजपत्र में प्रकाशन की तारीख को तुरंत प्रभाव से प्रवृत्त होगा।

2. साधारण खंड अधिनियम, 1897 इस आदेश के निर्वाचन के लिए वैसे ही लागू होगा, जैसे यह भारत राज्यक्षेत्र में प्रवृत्त विधियों के लिए लागू होता है।

3. तात्कालिक प्रभाव से, इस आदेश की अनुसूची में उल्लिखित अधिनियम, जब तक की उन्हें सक्षम प्राधिकारी द्वारा निरसित या संशोधित नहीं कर दिया जाता है, उक्त अनुसूची द्वारा निदेशित अनुकूलनों और उपांतरणों के अध्याधीन प्रभावी होंगे, या यदि ऐसा निदेशित किया गया है तो, यह निरस्त हो जाएंगे।

4. जहां इस आदेश में ऐसा अपेक्षित है कि किसी अधिनियम की किसी विनिर्दिष्ट धारा या अन्य भाग में कतिपय अन्य शब्दों के स्थान पर कतिपय शब्द प्रतिस्थापित किए जाएंगे, या कतिपय शब्दों का लोप करेगा, यथास्थिति ऐसा प्रतिस्थापन या लोप, वहां के सिवाय जहां अन्यथा अभिव्यक्त रूप से उपबंधित है, जहां कहीं निर्दिष्ट शब्द उस धारा या भाग में आते हैं, किया जाएगा।

5. इस आदेश के ऐसे उपबंध, जो किसी विधि के अनुकूलन करते हैं, या उसका उपांतरण करते हैं जिससे उसे ऐसी रीति में परिवर्तित किया जा सके जिसमें ऐसा प्राधिकार जिसके द्वारा या ऐसी विधि जिसके अधीन या जिसके अनुसार ऐसी कोई शक्तियां प्रयोक्तव्य हों, 31 अक्टूबर, 2019से पहले सम्यक रूप से जारी की गई किसी अधिसूचना, किए गए आदेश, की गई प्रतिबद्धता, कुर्की, बनाई गई उपविधि, बनाए गए नियम या विनियम को या सम्यक रूप की गई किसी बात को अविधिमान्य नहीं बनाएंगे; और ऐसी किसी अधिसूचना, आदेश, प्रतिबद्धता, कुर्की, उपविधि, नियम या विनियम या किसी बात का वैसे ही रीति में, वैसे ही विस्तार तक, और वैसे ही परिस्थितियों में प्रतिसंहरण, फोरफार या अकृत किया जा सकेगा मानो वह सक्षम प्राधिकारी द्वारा इस आदेश के प्रारंभ के पश्चात् और ऐसे मामले को उस समय लागू उपबंधों के अनुसार बनाया गया हो, जारी किया गया हो या किया गया हो।

6. इस आदेश की अनुसूची में विनिर्दिष्ट किसी विधि का निरसन या संशोधन—

(क) इस प्रकार निरस्त किसी विधि के पूर्ववर्ती प्रवर्तन या उसके अधीन सम्यक रूप से की गई या सहन की गई किसी बात को;

(ख) इस प्रकार निरसित किसी विधि के अर्जित, प्रोदभूद या उपगत किसी अधिकारी, विशेषाधिकार, समपहरण या दायित्व को;

(ग) इस प्रकार निरसित किसी विधि के विरुद्ध कारित किसी अपराध के संबंध में उपगत किसी शास्ति, समपहरण या दंड को; या

(घ) यथापूर्वोक्त किसी ऐसे अधिकार, विशेषाधिकार, बाध्यता, दायित्व, शास्ति, समपहरण या दंड के संबंध में कोई अन्वेषण, विधि कार्यवाही या उपचार को,

प्रभावित नहीं करेगा और ऐसे किसी अन्वेषण, विधि कार्यवाही या उपचार को वैसे ही संस्थित, जारी या प्रवर्तित किया जा सकेगा और ऐसी किसी शास्ति, समपहरण या दंड को वैसे ही अधिरोपित किया जा सकेगा मानो जम्मू-कश्मीर पुनर्गठन अधिनियम, 2019 (2019 का 34) या यह आदेश पारित न किया गया हो।

**अनुसूची
(पैरा 3 देखें)
राज्य विधियां**

**1. उद्योगों को जम्मू-कश्मीर राज्य सहायता अधिनियम, 1961
(1961 का 22)**

पूर्णतः निरसन करें।

2. जम्मू-कश्मीर एनेटॉमी अधिनियम, 1959 (1959 का 22)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो 'सरकार', 'राज्य' और 'सरकारी राजपत्र', के स्थान पर क्रमशः 'लद्दाख संघ राज्यक्षेत्र प्रशासन', 'लद्दाख संघ राज्य क्षेत्र' और 'राजपत्र' रखें।

धारा 6. – “पांच सौ रुपए” के स्थान पर “पांच हजार रुपए” रखें।

धारा 9. – “रणवीर दंड संहिता” के स्थान पर “भारतीय दंड संहिता, (1860 का 45)” रखें।

3. जम्मू-कश्मीर प्राचीन स्मारक परिरक्षण अधिनियम, संवत्. 1977

(संवत् 1977 का 5)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, 'सरकार', "जम्मू-कश्मीर", "राज्य संरक्षित स्मारक", "मंत्री" और 'सरकारी राजपत्र' के स्थान पर क्रमशः 'लद्दाख संघ राज्यक्षेत्र प्रशासन', "लद्दाख संघ राज्यक्षेत्र", "संरक्षित स्मारक", "लद्दाख संघ राज्यक्षेत्र प्रशासन" और 'राजपत्र' रखें ।

संपूर्ण अधिनियम में, "निदेशक, पुरातत्व" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन द्वारा नियुक्त अधिकारी" रखें।

संपूर्ण अधिनियम में, "पुरातत्व विभाग" के स्थान पर "इस अधिनियम के प्रयोजनों को पूरा करने के स्थान पर न्यासित विभाग"।

धारा 2.– (i) खंड (3) में, “पुरातत्व विभाग के, उप निदेशक की पंक्ति से नीचे का हो” के स्थान पर “लद्दाख संघ राज्यक्षेत्र प्रशासन द्वारा नियुक्त” रखें; और

(ii) खंड (5-क) का लोप करें।

धारा 10. – उप-धारा (1) में, “भूमि अधिग्रहण अधिनियम” के स्थान पर “भू-अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का अधिनियम सं. 30)” रखें ।

धारा 15. – उपधारा (2) में, “एक हजार रुपए” के स्थान पर “दस हजार रुपए” रखें।

धारा 17. – उप-धारा (4) में, “सहायक निदेशक की पंक्ति से नीचे का न हो” का लोप करें।

धारा 20-क. – “या लद्दाख जिले के मामले में, उस जिले का उपायुक्त” का लोप करें।

धारा 20-ग. – “1990 का अधिनियम सं. 10 राज्य भूमि अधिग्रहण ” के स्थान पर “भू-अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार

अधिनियम, 2013 (2013 का अधिनियम सं. 30)" रखें
 धारा 22-क. – "दंड प्रक्रिया संहिता, संवत् 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें ।

**4. जम्मू-कश्मीर ईट भट्टा (विनियमन) अधिनियम, 2010
 (2010 का 17)**

संपूर्ण अधिनियम में, "सरकारी राजपत्र" के स्थान पर, "राजपत्र" रखें ।

संपूर्ण अधिनियम में, "सरकार" के स्थान पर, "प्रशासन" रखें ।

उद्देशिका – "राज्य में", के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें ।

धारा 1. – (i) उप-धारा (1) में, "जम्मू-कश्मीर" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें; और

(ii) उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें ।

धारा 2. – (i) खंड (क) में, "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें; और

(ii) खंड (ज), के स्थान पर-

'(ज)' "प्रशासन" से लद्दाख संघ राज्यक्षेत्र प्रशासन अभिप्रेत है।"

धारा 3. – उप-धारा (2) में, परंतुक में, "किसी अधिसूचित आदेश द्वारा", के स्थान पर "राजपत्र में अधिसूचना द्वारा" रखें।

धारा 4. – खंड (घ) में, "जम्मू-कश्मीर वन अधिनियम, 1987 के अधीन राज्य के सीमांकित वन क्षेत्र", के स्थान पर "भारतीय वन अधिनियम, 1927 (1927 का 16) के अधीन लद्दाख संघ राज्यक्षेत्र का वन क्षेत्र" रखें।

धारा 6. – (i) उप-धारा (1) में, "राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें; और

(ii) उप-धारा (4) में, खंड (II) में, उपखंड (ii) में, "राज्य प्रदूषण नियंत्रण बोर्ड" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति" रखें।

धारा 8. – उप-धारा (2) में, खंड (च) में, "प्रदूषण नियंत्रण बोर्ड" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रदूषण नियंत्रण समिति" रखें।

धारा 12. – स्पष्टीकरण में, "दंड प्रक्रिया संहिता, संवत् 1989 की धारा 102 और धारा 103" के स्थान पर "दंड प्रक्रिया संहिता, 1973 की धारा 100 (1974 का 2)" रखें।

धारा 13. – "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 18. – "होर्डिंग एंड प्रोफिटियरिंग प्रिवेंशन आर्डिनंस, संवत् 2000 और कोई अन्य विधि" के स्थान पर, "कोई विधि" रखें।

- धारा 23. – "राज्य रणवीर दंड संहिता" के स्थान पर, "भारतीय दंड संहिता (1860 का 45)" रखें।
- धारा 28. – "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें ।

5. जम्मू-कश्मीर कैपिंग और मूरिंग स्थल अधिनियम, 2004

(संवत् 2004 का 12)

पूर्णतः निरस्त करें।

6. जम्मू-कश्मीर का राज्य पिछड़ा वर्ग आयोग अधिनियम, 1997

(1997 का अधिनियम सं. 12)

पूर्णतः निरस्त करें।

7. जम्मू-कश्मीर भवन प्रचालन नियंत्रण अधिनियम, 1988

(1988 का 15)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, 'सरकार', और 'सरकारी राजपत्र' के स्थान पर क्रमशः 'लद्दाख संघ राज्यक्षेत्र का प्रशासन', और 'राजपत्र' रखें।

उद्देशिका के सिवाय, संपूर्ण अधिनियम में, 'जम्मू-कश्मीर' या 'जे एंड के' और 'राज्य' के स्थान पर 'लद्दाख संघ राज्यक्षेत्र' रखें।

- धारा 1. – उप-धारा (2) में, 'जम्मू-कश्मीर राज्य' के स्थान पर 'लद्दाख संघ राज्यक्षेत्र' रखें।
- धारा 2. – (i) खंड (9) में, उप-खंड (i) में, ", कश्मीर घाटी में "पांड-पांड" के रूप में आमतौर पर ज्ञात है" का लोप करें;
- (ii) खंड (10) में, 'जम्मू-कश्मीर सरकार' के स्थान पर 'लद्दाख संघ राज्यक्षेत्र का प्रशासन' रखें ; और
- (iii) खंड (13) का लोप करें।
- धारा 3. – उप-धारा (1) में, 'राज्य' का लोप करें।
- धारा 4. – 'राज्य' का लोप करें।
- धारा 5. – उप-धारा (3) में, 'राज्य' का लोप करें।
- धारा 10. – 'दंड प्रक्रिया संहिता, संवत्, 1989' के स्थान पर 'दंड प्रक्रिया संहिता, 1973 (1974 का 2)' रखें और खंड (ii) के उपखंड (क) में, 'धारा 57' के स्थान पर "धारा 42" रखें।
- धारा 11. – 'मंत्री' शब्द के स्थान पर, जहां-कहीं वह आता है, उसके स्थान पर 'लद्दाख संघ राज्यक्षेत्र का प्रशासन' रखें।

8. जम्मू-कश्मीर सहकारी सोसाइटी अधिनियम, 1989
(1989 का 10)

संपूर्ण अधिनियम में, "सरकारी राजपत्र", और "संपत्ति अंतरण अधिनियम, संवत्, 1997" के स्थान पर, जहां कहीं वे आते हैं, "राजपत्र" और "संपत्ति अंतरण अधिनियम, 1882" रखें।

संपूर्ण अधिनियम में, उद्देशिका के सिवाय, जब तक संदर्भ से अन्यथा उपबंधित न हो "जम्मू-कश्मीर" शब्द के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

- उद्देशिका- (i) दोनों स्थानों "राज्य में", के स्थान पर दोनों स्थानों पर जहां-कहीं आता है "लद्दाख संघ राज्यक्षेत्र में" रखें।
- (ii) "जम्मू-कश्मीर के संविधान में प्रतिपादित राज्य के नीति निर्देशक तत्वों के अनुसार" का लोप करें।
- धारा 1. – (i) उप-धारा (1) में, "जम्मू-कश्मीर" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें;
- (ii) उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 2. – खंड (च) के, उपखंड (iii) में, "शीर्ष स्तर" के स्थान पर "लद्दाख संघ राज्यक्षेत्र का शीर्ष स्तर" रखें।
- धारा 3. – उप-खंड (1) में, "संपूर्ण जम्मू-कश्मीर राज्य" के स्थान पर "संपूर्ण लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 10. – उप-धारा (1) में, "राज्य के कार्यक्रमों" के स्थान पर "लद्दाख संघ राज्यक्षेत्र के कार्यक्रमों" रखें।
- धारा 16. – उप-धारा (1) में, परंतुक में, "और ऐसा प्रत्येक आदेश, इसे बनाए जाने के पश्चात, शीघ्रातिशीघ्र, राज्य विधानमंडल के प्रत्येक सदन के समक्ष, प्रस्तुत किया जाएगा" का लोप करें।
- धारा 17. – उप-धारा (1) में, -
- (i) खंड (क) में, -
- (क) उप-खंड (i) में, "जम्मू-कश्मीर संविदा अधिनियम, संवत् 1977" के स्थान पर, "भारतीय संविदा अधिनियम, 1872 (1860 का 21)" रखें;
- (ख) उप-खंड (ii) का लोप करें; और
- (ii) खंड (ग) में, "जम्मू-कश्मीर सोसाइटी रजिस्ट्रीकरण अधिनियम, संवत् 1998" के स्थान पर, "सोसाइटी रजिस्ट्रीकरण अधिनियम, 1860" रखें।
- धारा 35. – खंड (i) के परंतुक में, -
- (क) "राज्य सरकार" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें ; और
- (ख) "संपत्ति अंतरण अधिनियम, संवत्, 1977 की धारा 140 के उपबंधों के अध्यक्षीन" का लोप करें।

- धारा 40. – "जम्मू-कश्मीर रजिस्ट्रीकरण अधिनियम, संवत् 1977" के स्थान पर, "रजिस्ट्रीकरण अधिनियम, 1908 (1908 का 16)" रखें।
- धारा 60. – "न्यास अधिनियम, संवत् 1977" के स्थान पर, "भारतीय न्यास अधिनियम 1882" (1882 का 2) रखें।
- धारा 79. – उप-धारा (1) में, दोनों स्थानों पर आए "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 91. – उप-धारा (1) में, "से उत्पन्न होने वाले" और "कृषकों और भूमि सुधार को सरकारी सहायता अधिनियम, संवत् 1993 के अधीन" का लोप करें।
- धारा 92. – उप-धारा (2) में, "बिग लैंडेड एस्टेट्स एबोलिशन अधिनियम, संवत् 2007 में कोई भी बात" के स्थान पर "तत्समय प्रवृत्त किसी विधि में निहित किसी बात के होते हुए भी" रखें।
- धारा 94. – "जम्मू-कश्मीर रजिस्ट्रीकरण अधिनियम, संवत् 1977" के स्थान पर, "रजिस्ट्रीकरण अधिनियम, 1908 (1908 का 16)" रखें।
- धारा 107. – उप-धारा (1) में, "जम्मू-कश्मीर रजिस्ट्रीकरण अधिनियम, संवत् 1977" के स्थान पर, "रजिस्ट्रीकरण अधिनियम, 1908 (1908 का 16)" रखें।
- धारा 111. – "जम्मू-कश्मीर भूमि संक्रामण अधिनियम, संवत् 1995 की धारा 6 में निहित किसी बात के होते हुए भी" का लोप करें।
- धारा 131. – उप-धारा (3) में, "सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर, "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।
- धारा 132. – उप-धारा (1) में, "धारा 89क" के स्थान पर "धारा 69क" रखें।
- धारा 134. – उप-खंड (1) में, "जम्मू-कश्मीर मकान और दुकान किराया नियंत्रण अधिनियम, 1966" के स्थान पर "आवासीय और वाणिज्यिक काश्तकारी अधिनियम, 2012" रखें।
- धारा 143. – "जम्मू-कश्मीर भूमि अधिग्रहण अधिनियम, संवत् 1990" के स्थान पर "भू-अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30)" रखें।
- धारा 153. – खंड (ग) में, "जम्मू-कश्मीर रणवीर दंड संहिता" के स्थान पर "भारतीय दंड संहिता (1860 का 45)" रखें।
- धारा 155. – "परिसीमा अधिनियम, संवत् 1955 की प्रथम अनुसूची के अनुच्छेद 182" के स्थान पर "परिसीमा अधिनियम, 1963 (1963 का 36) की धारा 137" रखें।
- धारा 171. – "कंपनी अधिनियम, 1956 (1956 का 01)" के स्थान पर, "कंपनी अधिनियम, 2013 (2013 का 18)" रखें।
- धारा 174. – उप-धारा (1) में, "सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर, "सिविल

प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।

धारा 176. —

उप-धारा (1) में, "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

9. जम्मू-कश्मीर देनदार राहत अधिनियम, 1976

(1976 का 15)

संपूर्ण अधिनियम में, जब तक अन्यथा उपबंधित न हो "सरकार" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें ।

उद्देशिका —

"जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 1. —

(i) उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें; और

(ii) उप-धारा (3) में, "सरकारी राजपत्र" के स्थान पर "राजपत्र" रखें ।

धारा 2. —

(i) खंड (1) में, —

(क) "जम्मू-कश्मीर सहकारी सोसाइटी अधिनियम, 1960" के स्थान पर "जम्मू-कश्मीर सहकारी सोसाइटी अधिनियम, 1989" रखें ;

(ख) उप-खंड (ii) में, "या जम्मू-कश्मीर संपत्ति अंतरण अधिनियम, 1977 की धारा 140" का लोप करें;

(ग) उप-खंड (v) में, दोनों स्थानों पर, "जम्मू-कश्मीर सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें ; और

(ii) खंड (2) के स्पष्टीकरण में, "जम्मू-कश्मीर सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें ;

(iii) खंड (9) में, "जम्मू-कश्मीर सहकारी सोसाइटी अधिनियम, 1960" के स्थान पर, "जम्मू-कश्मीर सहकारी सोसाइटी अधिनियम, 1989" रखें ; और

(iv) उप-धारा (10) में, "सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर, "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें ।

धारा 3. —

(i) उप-धारा (1) में, "सरकारी राजपत्र" के स्थान पर "राजपत्र" रखें ;

(ii) उप-धारा (7) में, "सरकारी राजपत्र" के स्थान पर "राजपत्र" रखें; और

(iii) उप-धारा (11) में, "परिसीमा अधिनियम, संवत् 1995" के स्थान पर "परिसीमा अधिनियम, 1963 (1963 का 36)" रखें।

धारा 4. —

परंतुक का लोप करें।

धारा 12. —

"सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर, "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।

धारा 22. —

"सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर, "सिविल प्रक्रिया संहिता,

1908 (1908 का 5)" रखें।

- धारा 30. – "जम्मू और कश्मीर परिसीमा अधिनियम, संवत् 1995", के स्थान पर "परिसीमा अधिनियम, 1963 (1963 का 36)" रखें।
- धारा 32. – "रणवीर दंड संहिता, संवत् 1989" के स्थान पर "भारतीय दंड संहिता (1860 का अधिनियम 45)" रखें।
- धारा 34. – (i) दोनों स्थानों पर "राजस्व मंत्री या" का लोप करें; और
(ii) "सरकारी राजपत्र" के स्थान पर, "शासकीय राजपत्र" रखें।

**10. जम्मू-कश्मीर उप मंत्रियों के वेतन और भत्ते, अधिनियम, 1957
(1957 का 6)**

पूर्णतः निरसन करें।

**11. जम्मू-कश्मीर उपाध्यक्ष और उप सभापति (उपलब्धियां) अधिनियम, 1956
(1956 का 22)**

पूर्णतः निरसन करें।

**12. जम्मू-कश्मीर विकास अधिनियम, 1970
(1970 का 19)**

संपूर्ण अधिनियम में, जब तक अन्यथा उपबंधित न हो "सरकार", "सरकारी राजपत्र" और "राज्य" के स्थान पर, क्रमशः, "प्रशासन", "संघ राज्यक्षेत्र" और "उपराज्यपाल के सलाहकार" रखें।

- धारा 2. – खंड (1) में, "भूमि अधिग्रहण अधिनियम, 1990 की धारा 3" के स्थान पर, "भू-अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30)" रखें।
- धारा 8. – उप-धारा (1) में, "ऐसे प्रत्येक जोन, जिसमें से किसी स्थानीय क्षेत्र को विभाजित किया जा सके" और "प्रत्येक जोन" के स्थान पर क्रमशः "ऐसे जोन जिन्हें धारा 13 के अधीन विकास क्षेत्र के रूप में घोषित किया गया है" और "प्रत्येक ऐसा जोन" रखें ।
- धारा 11. – "मास्टर प्लान के पश्चात और" के स्थान पर "मास्टर प्लान के पश्चात या" रखें ।
- धारा 11 के पश्चात, नई
धारा का अंतःस्थापन:-

भूमि का अनुज्ञात "11क. (1) मास्टर प्लान या जोन विकास प्लान के लागू होने के पश्चात, इसके अधीन आने वाले क्षेत्र में भूमि का अनुज्ञात उपयोग केवल ऐसे मास्टर प्लान या

<p>उपयोग और भूमि का उपयोग प्रभार का उद्ग्रहण</p>	<p>जोन विकास प्लान में यथा उपबंधित में निबंधानों के अनुसार होगा:</p> <p>परंतु लद्दाख संघ राज्यक्षेत्र तत्समय प्रवृत्त किसी विधि के उपबंध, जिनमें किसी भूमि के उपयोग में परिवर्तन के स्थान पर कोई अनुमति अपेक्षित हो, इसमें आने वाले किसी क्षेत्र पर लागू नहीं होंगे।</p> <p>(2) लद्दाख संघ राज्यक्षेत्र प्रशासन, राजपत्र में अधिसूचना द्वारा, मास्टर प्लान या जोन विकास प्लान में भूमि के यथाअनुज्ञात उपयोग के स्थान पर प्रभारों के उद्ग्रहण हेतु स्कीम अधिसूचित कर सकेगा, इसके आगम प्राधिकरण की निधि का हिस्सा होंगे और धारा 50 निबंधानुसार अपेक्षित भूमि अधिग्रहण के स्थान पर वहन उपगत व्ययों को पूरा करने के स्थान पर उपयोग में लाए जा सकेंगे।"</p> <p>धारा 13 के स्थान पर, निम्नलिखित रखें -</p>
<p>विकास क्षेत्रों की घोषणा और विकास के स्थान पर अनुमति, आदि।</p>	<p>"13 (1) प्लान के लागू होने की तारीख के अनुमोदन संबंधी नोटिस, के धारा 11 के अधीन प्रकाशन के पश्चात्, प्राधिकरण लद्दाख प्रशासन की पूर्व अनुमति से और राजपत्र में अधिसूचना द्वारा किसी भी जोन या उसके किसी भाग को इस अधिनियम के प्रयोजनों के स्थान पर विकास क्षेत्र के रूप में घोषित कर सकेगा।</p> <p>(2) तत्समय प्रवृत्त किसी विधि में किसी प्रतिकूल बात के होते हुए भी, ऐसी अधिसूचना के परिणामस्वरूप कोई भी व्यक्ति लद्दाख संघ राज्यक्षेत्र का कोई विभाग भी है, इस अंचल या इसके हिस्से के किसी भी भू-भाग या भवन का विकास कार्य आरंभ या संपन्न, जैसा भी मामला हो, तब तक नहीं करेगा जब तक कि इस अधिनियम के प्रावधानों के अनुसार प्राधिकरण से इस प्रकार के विकास कार्य के स्थान पर लिखित अनुमति प्राप्त नहीं की जाती है:</p> <p>परंतु लद्दाख संघ राज्यक्षेत्र प्रशासन के किसी विभाग या किसी भी स्थानीय प्राधिकरण द्वारा किसी भी भूमि का अक्टूबर, 2019 के 31 वें दिन से पहले आरंभ किया गया विकास कार्य उस विभाग या स्थानीय प्राधिकरण द्वारा पूरा किया जा सकेगा।</p> <p>(3) कोई भी व्यक्ति या निकाय, चाहे वह निजी हो या सार्वजनिक हो जिससे लद्दाख संघ राज्यक्षेत्र प्रशासन का कोई विभाग या कोई प्राधिकरण भी है, प्राधिकरण की बिना पूर्व लिखित अनुमति के, नगर निगम की सीमाओं के बाहर किसी भी स्थानीय क्षेत्र में किसी भी गली या लेआउट प्लान को, किसी भी रूप में निष्पादित करने का कार्य आरंभ नहीं करेगा:</p> <p>परंतु इस प्रकार की अनुमति के प्रयोजनों के स्थान पर, प्राधिकरण जम्मू-कश्मीर नगरपालिका अधिनियम, 2000 (2000 का 20) में निर्धारित प्रक्रियाओं का पालन करेगा:</p> <p>यह और कि, इस उप-धारा के अधीन निर्बंधन जम्मू-कश्मीर टाउन प्लानिंग अधिनियम, 1963 (1963 के 20) के उपबंधों के अधीन लागू टाउन प्लानिंग स्कीम के हिस्से के रूप में किए गए किसी भी विकास कार्य पर लागू नहीं होगा।</p>
<p>धारा 15. -</p>	<p>"जोन में कोई प्लान" के स्थान पर, "जोन में मास्टर प्लान या जोन विकास प्लान" रखें ।</p>
<p>धारा 16. -</p>	<p>उप-खंड (1) में, "भूमि अधिग्रहण अधिनियम, संवत् 1990" के स्थान पर, "भू-अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार</p>

- अधिनियम, 2013 (30 का 2013) रखें।
- धारा 21. – उप-धारा (4) में, "और सरकार इसकी एक प्रति विधानमंडल के दोनों सदनों के समक्ष प्रस्तुत करेगी" का लोप करें।
- धारा 22. – उप-धारा (2) में, "भविष्य निधि अधिनियम, संवत् 1998" के स्थान पर "कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19)" रखें।
- धारा 24. – (i) उप-धारा (1) में, "5,000/- रु." और "200/- रु.", के स्थान पर क्रमशः "50,000/- रु." और "2,000/- रु." रखें।
(ii) उप-धारा (2) में, "तीन हजार रु." और "एक सौ पचास रु.", के स्थान पर क्रमशः "30,000/- रु." और "1500/- रु." रखें।
(iii) उप-धारा (3) में, "एक हजार रु.", के स्थान पर "दस हजार रु;" रखें।
- धारा 26. – उप-धारा (4) में, "दो सौ रुपये" के स्थान पर, "दो हजार रुपये" रखें।
- धारा 31. – "प्राधिकरण और उस स्थानीय प्राधिकरण या विभाग, के मध्य सहमत नियम और शर्तों पर" का लोप करें।
- धारा 34. – (i) उप-धारा (2) में, "सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर "सिविल प्रक्रिया संहिता 1908 (1908 का 5)" रखें; और
(ii) उप-धारा (6) में, "माध्यस्थतम् अधिनियम, संवत् 2002" के स्थान पर "माध्यस्थतम् और सुलह अधिनियम, 1996 (1996 का 26)" रखें।
- धारा 43. – "रणबीर दंड संहिता" के स्थान पर, "भारतीय दंड संहिता (1860 का 45)" रखें।
- धारा 45. – "दंड प्रक्रिया संहिता, 1989 की धारा 32" के स्थान पर, "दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 29" रखें।
- धारा 49. – खंड (ग) में, "जम्मू-कश्मीर राज्य नहर और जल निकासी अधिनियम, संवत् 1963" के स्थान पर, "जम्मू-कश्मीर जल संसाधन (विनियमन और प्रबंधन) अधिनियम, 2010" रखें।

13. बाध्य और आंतरिक संचलन (नियंत्रण) अध्यादेश, 2005

(संवत् 2005 का अध्यादेश नं 5)

अध्यादेश में, जब तक अन्यथा उपबंधित न हो, 'सरकार', और 'राज्य' और 'सरकारी राजपत्र' के स्थान पर, क्रमशः, 'लद्दाख संघ राज्यक्षेत्र प्रशासन', 'लद्दाख संघ राज्यक्षेत्र' और 'राजपत्र' रखें।

- धारा 3-ग.– "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

- धारा 5. – उप-धारा (2) में, "दंड प्रक्रिया संहिता, 1989 की धारा 61" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 57" रखें।
- धारा 8. – उप-धारा (1) में, "दंड प्रक्रिया संहिता, 1989" और "धारा 30" के स्थान पर क्रमशः "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" और "धारा 29" रखें।
- धारा 9. – उप-धारा (2) में, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 10. – दोनों स्थानों पर, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 12. – उप-धारा (2) में, "दंड प्रक्रिया संहिता, 1989 की धारा 439" तथा "धारा 439 के संदर्भ में" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 401" तथा "401 के संदर्भ में" रखें।
- धारा 15. – "साक्ष्य अधिनियम, 1977" के स्थान पर "भारतीय साक्ष्य अधिनियम, 1872" रखें ।
- धारा 16. – उप-धारा (4) में, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 17. – दोनों स्थानों पर, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 18. – उप-धारा (1) में, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 19. – उप-धारा (1) में, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

14. जम्मू-कश्मीर उत्पाद शुल्क अधिनियम, संवत् 1958 (1901 ए.डी.)

(1901 राज्य परिषद का संकल्प संख्या 9)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें।

- उद्देशिका – "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें ।
- धारा 1. – (i) उप-धारा (2) में, "राज्य के क्षेत्रों" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 3. – धारा 3 में, –
- (i) खंड (3) में, "सरकारी राजपत्र", के स्थान पर "राजपत्र" रखें ;
- (ii) खंड (11), खंड (12) और खंड (13) में, "राज्य क्षेत्र" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें ; और

- (iii) खंड (18) में, "राज्य सरकार" और "सरकारी राजपत्र" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन" और "राजपत्र" रखें।
- धारा 3क. – "सरकारी राजपत्र" के स्थान पर, "राजपत्र" रखें।
- धारा 4. – उप-धारा (2) में, "सरकारी राजपत्र" के स्थान पर "राजपत्र" रखें।
- धारा 5. – "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 6. – "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 7. – "सरकारी राजपत्र" के स्थान पर, "राजपत्र" रखें।
- धारा 8. – "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 11. – द्वितीय परंतुक में, "राज्य के राज्यक्षेत्रों" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 11क. – उप-धारा (2) में, "राज्य सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें।
- धारा 12क. – परंतुक के खंड (i) में, -
 (क) "जम्मू-कश्मीर" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र में" रखें ; और
 (ख) "जम्मू अथवा श्रीनगर में" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र में" रखें।
- धारा 14क. – "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 16. – "राज्य के क्षेत्रों में या राज्य में आयातित और राज्य से निर्यातित" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र में या संघ राज्यक्षेत्र में आयातित या संघ राज्य क्षेत्र से निर्यातित" रखें।
- धारा 16क. – "राज्य" और "सरकारी राजपत्र" के स्थान पर, क्रमशः "लद्दाख संघ राज्यक्षेत्र प्रशासन" और "राजपत्र" रखें।
- धारा 17 और 24. "राज्य" जहां-कहीं वह आता है, के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 32. – (i) "दंड प्रक्रिया संहिता, 1989" के स्थान पर, "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें ; और
 (ii) परंतुक का लोप करें।
- धारा 34. – दोनों स्थानों पर, "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 38. – "दंड प्रक्रिया संहिता, 1989" के स्थान पर, "दंड प्रक्रिया संहिता, 1973 (1974 का 2) रखें।
- धारा 39. – "दंड प्रक्रिया संहिता, 1989 के अध्याय 30" के स्थान पर, "दंड प्रक्रिया संहिता, 1973 (1974 का 2) के अध्याय 33" रखें।
- धारा 56ख. – उप-धारा (2) में, "दंड प्रक्रिया संहिता, 1989 की अनुसूची 2" के स्थान पर, "दंड प्रक्रिया संहिता 1973 (1974 का 2) की "अनुसूची 1" रखें।

- धारा 61. – (i) उप-धारा (1), "रणवीर दंड संहिता" के स्थान पर "भारतीय दंड संहिता (1860 का 45)" रखें ; और
- (ii) उप-धारा (2) में, "दंड प्रक्रिया संहिता, 1989" के स्थान पर, स्थानापन्न "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 62. – "जम्मू-कश्मीर सरकारी राजपत्र" के स्थान पर, "राजपत्र" रखें।
- धारा 64. – "जम्मू-कश्मीर सरकार" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें।

15. जम्मू-कश्मीर राल निष्कर्षण अधिनियम, 1988
(1988 का 9)

पूर्णतः निरसन करें।

16. जम्मू-कश्मीर राज्य पार नौका नियंत्रण अधिनियम, 1971
(1971 का 18)

पूर्णतः निरसन करें।

17. जम्मू-कश्मीर मत्स्य उद्योग अधिनियम, 2018
(2018 का 16)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, 'सरकार', 'जम्मू-कश्मीर' और 'सरकारी राजपत्र', के स्थान पर क्रमशः 'लद्दाख संघ राज्यक्षेत्र प्रशासन', 'लद्दाख संघ राज्यक्षेत्र' और 'राजपत्र', रखें।

- उद्देशिका— "राज्य में" के स्थान पर "लद्दाख संघ राज्यक्षेत्र में" रखें।
- धारा 2. – (i) खंड (क) के पश्चात अंतःस्थापित करें अर्थात्, -
- (कक) "प्रशासन" से "लद्दाख संघ राज्यक्षेत्र प्रशासन" अभिप्रेत है; और
- (ii) खंड (छ) का लोप करें।
- धारा 12. – उप-धारा (3) में, "परिसीमा अधिनियम, संवत् 1995" के स्थान पर "परिसीमा अधिनियम, 1963 (1963 का 36)" रखें।
- धारा 17. – "दंड प्रक्रिया संहिता, संवत् 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 18. – (i) उप-धारा (1) में, "दंड प्रक्रिया संहिता, संवत्, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें ; और
- (ii) उप-धारा (3) में, "दंड प्रक्रिया संहिता की धारा 403, संवत्, 1989" के स्थान

- पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)) की धारा 300" रखें।
- धारा 19. – "राज्य सरकार" के स्थान पर "प्रशासन" रखें।
- धारा 21. – "रणबीर दंड संहिता, संवत् 1989" के स्थान पर भारतीय दंड संहिता, (1860 का 45)" रखें।
- धारा 22. – उप - धारा (2) का लोप करें।
- धारा 27. – उप-धारा (2) में, दोनों स्थानों पर, "राज्यक्षेत्र" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 28. – "दंड प्रक्रिया संहिता" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

18. जम्मू-कश्मीर राज्य वन निगम अधिनियम, 1978

(1978 का 12)

पूर्णतः निरसन करें।

19. जम्मू-कश्मीर गोल्फ विकास और प्रबंधन प्राधिकरण अधिनियम, 2013

(2013 का 7)

पूर्णतः निरसन करें।

20. जम्मू-कश्मीर सरकारी राजपत्र अधिनियम, संवत्. 1945 (1888 ए.डी.)

(संवत् 1945 का 12)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उबंधित न हो, 'सरकार', 'राज्य', 'जम्मू-कश्मीर' और 'सरकारी राजपत्र' के स्थान पर, क्रमशः 'लद्दाख संघ राज्यक्षेत्र प्रशासन', 'लद्दाख संघ राज्यक्षेत्र', 'लद्दाख संघ राज्यक्षेत्र' और 'राजपत्र' रखें।

धारा 10. – निम्न अंतःस्थापित करें -

"स्पष्टीकरण: राजपत्र में प्रकाशन से लद्दाख संघ राज्यक्षेत्र प्रशासन की वेबसाइट पर ऑनलाइन प्रकाशन अभिप्रेत होगा।"

21. जम्मू-कश्मीर हस्तशिल्प (गुणवत्ता नियंत्रण) अधिनियम, 1978

(1978 का 4)

पूर्णतः निरसन करें।

22. जम्मू-कश्मीर राजमार्ग अधिनियम, 2007**(संवत् 2007 का 27)**

संपूर्ण अधिनियम में, "सरकारी सड़कों", "सरकारी सड़क" और "जम्मू-कश्मीर राज्य" के स्थान पर, क्रमशः "लद्दाख संघ राज्यक्षेत्र की सड़कों", 'लद्दाख संघ राज्यक्षेत्र की सड़क' और 'लद्दाख संघ राज्यक्षेत्र' रखें।

उद्देशिका के सिवाय, संपूर्ण अधिनियम में, "सरकार" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें।

23. जम्मू-कश्मीर हाउसिंग बोर्ड अधिनियम, 1976**(1976 का 7)**

पूर्णतः निरसन करें।

24. जम्मू-कश्मीर औद्योगिक स्थापन (राष्ट्रीय त्यौहार) अवकाश अधिनियम, 1974**(1974 का 13)**

संपूर्ण अधिनियम में, "सरकारी राजपत्र" के स्थान पर, "राजपत्र" रखें।

संपूर्ण अधिनियम में, धारा 10 की उप-धारा (1) के खंड (ग) से भिन्न "सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें।

उद्देशिका 1. – "राज्य में" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र में" रखें।

धारा 1. – उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 2. – खंड (क) में, "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें ।

धारा 3. – उप-धारा (2) का लोप करें।

धारा 6. – उप-धारा (2) में, "रणवीर दंड संहिता, 1989", के स्थान पर "भारतीय दंड संहिता (1860 का 45)" रखें ।

धारा 8. – "पच्चीस रुपए" और "दो सौ पचास रुपए", के स्थान पर क्रमशः "दो हजार पाँच सौ रुपए" और "पच्चीस हजार रुपए" रखें ।

धारा 9. – "पाँच सौ रुपए" के स्थान पर "पाँच हजार रुपए" रखें ।

25. जम्मू-कश्मीर खादी और ग्राम उद्योग बोर्ड अधिनियम, 1965**(1965 का 16)**

पूर्णतः निरसन करें।

26. जम्मू-कश्मीर राज्य विधानसभा (अध्यक्ष की उपलब्धियाँ) अधिनियम, 1956**(1956 का 4)**

पूर्णतः निरसन करें।

27. जम्मू-कश्मीर राज्य विधायी परिषद अध्यक्ष (उपलब्धियाँ) अधिनियम, 1962**(1962 का 28)**

पूर्णतः निरसन करें।

28. जम्मू-कश्मीर राज्य विधानमण्डल सदस्यों की पेंशन अधिनियम, 1984**(1984 का 2)**

पूर्णतः निरसन करें।

29. जम्मू-कश्मीर राज्य विधानमण्डल (निरर्हता निवारण) अधिनियम, 1962**(1962 का 16)**

पूर्णतः निरसन करें।

30. जम्मू-कश्मीर राज्य विधानमंडल कार्यवाही (प्रकाशन संरक्षण) अधिनियम, 1960**(1960 का 37)**

पूर्णतः निरसन करें।

31. जम्मू-कश्मीर महानगर क्षेत्र विकास प्राधिकरण अधिनियम, 2018

पूर्णतः निरसन करें।

32. जम्मू-कश्मीर मंत्री और राज्य मंत्रियों का वेतन अधिनियम, 1956**(1956 का 6)**

पूर्णतः निरसन करें।

33. जम्मू-कश्मीर मंत्री और पीठासीन अधिकारी चिकित्सा प्रसुविधा अधिनियम, 1975

(1975 का 22)

पूर्णतः निरसन करें।

34. जम्मू-कश्मीर साहूकार और प्रत्यायित ऋण प्रदाता अधिनियम, 2010

(2010 का 23)

संपूर्ण अधिनियम में, तब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार" के स्थान पर "प्रशासन" रखें।

- उद्देशिका- "जम्मू-कश्मीर राज्य" के स्थान पर, दोनों स्थानों पर, "लद्दाख संघ राज्य क्षेत्र" रखें।
- धारा 1. - (i) उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र" रखें; और
(ii) उप-धारा (3) में, "सरकारी राजपत्र", के स्थान पर "शासकीय राजपत्र" रखें।
- धारा 2. - (i) खंड (4) में, "जम्मू-कश्मीर कॉ-ऑपरेटिव सोसायटीज़ रजिस्ट्रेशन अधिनियम, 1989" के स्थान पर "सोसाइटी रजिस्ट्रीकरण अधिनियम, 1860 (1860 का 21)" रखें ;
(ii) खंड (5) के स्थान पर निम्नलिखित रखें -
" (5) प्रशासन " से "लद्दाख संघ राज्य क्षेत्र का प्रशासन" अभिप्रेत है,
(iii) खंड (8) में, -
(क) उप-खंड (i) में, " या राज्य विधानमंडल" का लोप करें;
(ख) उप-खंड (ढ) में "जम्मू-कश्मीर सोसायटीज़ रजिस्ट्रेशन अधिनियम, संवत् 1998" के स्थान पर "सोसाइटी रजिस्ट्रीकरण अधिनियम, 1860 (1860 का 21)" रखें ; और
(iv) खंड (9) में, "जम्मू-कश्मीर विधायी सेवा प्राधिकरण अधिनियम 1997" के स्थान पर " विधायी सेवा प्राधिकरण अधिनियम 1987 (1987 का 39)" रखें ;
- धारा 3 - "सरकारी राजपत्र", के स्थान पर "राजपत्र" रखें
- धारा 8. - उप-धारा (2) में, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2) रखें।
- धारा 10. - (i) उप-धारा (5) में "सिविल प्रक्रिया संहिता, संवत् 1977", के स्थान पर "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें ।
(ii) उप-धारा (6) में, "सिविल प्रक्रिया संहिता, संवत् 1977", के स्थान पर "सिविल प्रक्रिया संहिता, 1908 (1908 का 5) रखें ।
- धारा 26. - "राज्य रणवीर दंड संहिता" के स्थान पर "भारतीय दंड संहिता (1860 का 45)" रखें।
- धारा 28. - (i) उप-धारा (1) में, "सरकारी राजपत्र", के स्थान पर "राजपत्र" रखें; और

(ii) उप-धारा (3) का लोप करें।

धारा 29. - "सरकारी राजपत्र", के स्थान पर "राजपत्र" रखें।

धारा 30. - लोप करें।

35. जम्मू-कश्मीर मोटर स्पिरिट और डीजल तेल (विक्रय कराधान) अधिनियम, 2005

(2005 का 5)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें।

धारा 2. - धारा (जज) में, "जम्मू-कश्मीर सामान्य बिक्री कर अधिनियम, 1962 की धारा 21क के अधीन अपीलीय अधिकरण" के स्थान पर "लद्दाख संघ राज्य क्षेत्र प्रशासन द्वारा पदाभिहित अधिकरण या प्राधिकरण" रखें

धारा 3. - (i) "सरकारी राजपत्र", के स्थान पर "राजपत्र" रखें ; और

(ii) दूसरे परंतुक का लोप करें ।

धारा 3 क. - उप-धारा (1) में, "राज्य" और "सरकारी राजपत्र" के स्थान पर क्रमशः "लद्दाख संघ राज्य क्षेत्र प्रशासन " और "राजपत्र" रखें ।

धारा 7. - उप-धारा (5) के परंतुक में "सरकारी खजाने में" के स्थान पर " ऐसे प्राधिकारी जो लद्दाख संघ राज्य क्षेत्र प्रशासन द्वारा विहित किया जाए " रखें।

धारा 10. - उप-धारा (1) में, "सरकारी राजपत्र", के स्थान पर "राजपत्र" रखें ।

धारा 11. - "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2) रखें ।

धारा 12. - "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973(1974 का 2) रखें ।

धारा 13. - " दंड प्रक्रिया संहिता, 1989 की धारा 61" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 57" को रखें ।

धारा 15. - "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973(1974 का 2) रखें ।

धारा 20. - " प्रभारी मंत्री " के स्थान पर, "उपराज्यपाल के सलाहकार" रखें।

धारा 22 ख. - उपधारा (3) का लोप करें ।

धारा 22 ग. - "सीमांकन अधिनियम, संवत् 1995", के स्थान पर " परिसीमा अधिनियम, 1963 (1963 का 36)" रखें ।

धारा 22घ . - "जम्मू-कश्मीर साधारण बिक्री कर अधिनियम, 1962 के अधीन इसके द्वारा प्रयोक्तव्य वही शक्तियां", के स्थान पर निम्न प्रयोजनों के लिए "सिविल न्यायालय की सभी शक्तियां" -

(क) शपथ पत्र द्वारा तथ्यों का सबूत;

(ख) किसी व्यक्ति को समन करना, और हाजिर करना और शपथ या प्रतिज्ञान पर उसकी परीक्षा करना;

- (ग) दस्तावेज पेश करने के लिए मजबूर करना; और
 (घ) साक्षियों की परीक्षा के लिए कमीशन निकालना। ”

धारा 22 ड. - लोप करें।

36. जम्मू -कश्मीर मोटर यान कराधान अधिनियम, 1957

(1957 का 26)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें।

उद्देशिका- "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 1. - (i) उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें; और

(ii) उप-धारा (3) में, "सरकारी राजपत्र", के स्थान पर "राजपत्र" रखें।

धारा 2. - खंड (i), (vi), (vii) और (viii) में "जम्मू-कश्मीर मोटर वाहन अधिनियम, संवत् 1998 के स्थान पर "मोटर यान अधिनियम, 1988 (1988 का 59) रखें।

धारा 3. - (i) उप-धारा (1) में "सरकारी राजपत्र" और "जम्मू-कश्मीर राज्य", के स्थान पर "राजपत्र" और "लद्दाख संघ राज्यक्षेत्र" रखें; और

(ii) उप-धारा (2) में, परंतुक का लोप करें।

धारा 4. - (i) उप-धारा (1) में, -

(क) खंड (ग) में, (अनुसूची 2 में विनिर्दिष्ट अधिकतम से अनधिक) का लोप करें;

(ख) खंड (ग) में, "सरकारी राजपत्र" के स्थान पर, "शासकीय राजपत्र" रखें।

(ग) खंड (घ) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें; और

(ii) उप-धारा (3) में, -

(क) खंड (क) के उपखंड (i) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें;

(ख) खंड (क) के उपखंड (ii) में, जम्मू-कश्मीर मोटर वाहन अधिनियम, संवत् 1998 के स्थान पर "मोटर यान अधिनियम, 1988 (1988 का 59) रखें; और

(ग) खंड (ख) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें;

धारा 9. - "सरकारी राजपत्र"के स्थान पर "राजपत्र" रखें।

अनुसूची - अधिनियम की अनुसूची 1 और अनुसूची 2 का लोप करें।

37. जम्मू-कश्मीर नगर निगम अधिनियम, 2000**(2000 का 21)**

पूर्णतः निरसन करें।

38. जम्मू-कश्मीर मुस्लिम विवाह रजिस्ट्रीकरण अधिनियम, 1981**(1981 का 22)**

- धारा 1. - (i) उप-धारा (2) में, "राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें ; और
(ii) उप-धारा (3) में "सरकारी राजपत्र" और "राज्य", के स्थान पर "राजपत्र" और "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 2. - खंड (ख) और (ग) में, "रजिस्ट्रीकरण अधिनियम, संवत् 1977" के स्थान पर, "रजिस्ट्रीकरण अधिनियम, 1908 (1908 का 16)" रखें।
- धारा 6. - "साक्ष्य अधिनियम, 1977" के स्थान पर, "भारतीय साक्ष्य अधिनियम, 1872 (1872 का 1)" रखें।

39. जम्मू-कश्मीर प्राकृतिक विपत्ति विनाश क्षेत्र सुधार अधिनियम, 2011**(2011 का 38)**

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार", "सरकारी राजपत्र" और "राज्य" के स्थान पर क्रमशः "लद्दाख संघ राज्यक्षेत्र प्रशासन", "राजपत्र" और "संघ राज्यक्षेत्र" रखें।

- धारा 1. - (i) उप-धारा (1) में, "जम्मू-कश्मीर" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 2. - खंड (क) में, "जम्मू-कश्मीर नगरपालिका अधिनियम, 1988" के स्थान पर "जम्मू-कश्मीर नगरपालिका अधिनियम, 2000" रखें।
- धारा 4. - खंड (ण) में, "जम्मू-कश्मीर नगरपालिका अधिनियम, 1988", नगर क्षेत्र अधिनियम, 1997 और "जम्मू-कश्मीर ग्राम पंचायत अधिनियम, 2000" के स्थान पर "जम्मू-कश्मीर नगरपालिका अधिनियम, 2000 और "जम्मू-कश्मीर पंचायती राज अधिनियम, 1989" रखें।
- धारा 7. - दो स्थानों पर, "प्रभारी-मंत्री पुनर्वासि विभाग" और "मंत्री" के स्थान पर "लद्दाख संघ राज्यक्षेत्र का प्रशासन" रखें।
- धारा 9. - (i) उपांत शीर्षक में, "भूमि अधिग्रहण अधिनियम, 1990 और धारा 4 और 6" के स्थान पर, "भूमि अर्जन, पुनर्वासि और पुनर्स्थापना अधिनियम, 2013 (2013 का 30) में उचित प्रतिकर और पारशिता के अधिकार की धारा 11 और 19" रखें; और
(ii) उक्त धारा में "भूमि अधिग्रहण अधिनियम, संवत् 1990 और धारा 4 और 6" के स्थान पर क्रमशः "पुनर्वासि, पुनर्व्यवस्थापन अधिनियम, 2013 (2013 का 30) और " धारा 11 और धारा

19" रखें।

- धारा 10. - (i) उपांत शीर्षक में, "भूमि अधिग्रहण अधिनियम, 1990 की धारा 15, धारा 23 और धारा 24" के स्थान पर "भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30) की धारा 15, धारा 23 और धारा 24" रखें; और
- (ii) "भूमि अधिग्रहण अधिनियम, 1990 की धारा 15, धारा 23 और धारा 24" के स्थान पर "भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30) की धारा 26, धारा 27 और धारा 28" रखें
- धारा 12. - लोप करें।

40. जम्मू-कश्मीर अजैव अवकर्षणीय पदार्थ (प्रचालन और व्ययन) अधिनियम, संवत 2007

(2007 का 12)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार" और "सरकारी राजपत्र" के स्थान पर क्रमशः "लद्दाख संघ राज्यक्षेत्र प्रशासन", और "राजपत्र" रखें।

संपूर्ण अधिनियम में, उद्देशिका के सिवाय, 'जम्मू-कश्मीर' के स्थान पर 'लद्दाख संघ राज्यक्षेत्र' रखें।

संपूर्ण अधिनियम में, उद्देशिका सहित, जब तक संदर्भ से अन्यथा उपबंधित न हो, 'राज्य' के स्थान पर 'लद्दाख संघ राज्यक्षेत्र' रखें।

धारा 1. - उप-धारा (2) में, "संपूर्ण जम्मू-कश्मीर राज्य" के स्थान पर "संपूर्ण लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 2. - (i) खंड (क) के पश्चात, निम्न अंतःस्थापित करें, अर्थात् :, -
 "(क ख) "प्रशासन" से "लद्दाख संघ राज्यक्षेत्र प्रशासन" अभिप्रेत है; और
 (ii) खंड (ग) का लोप करें।

धारा 6. - उप-धारा (4) में, "दंड प्रक्रिया संहिता, संवत 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" और "धारा 98" के स्थान पर "धारा 94" रखें।

धारा 9. - उपधारा (1) में, "खंड (iv)" के स्थान पर, "(iv)" जम्मू-कश्मीर जल संसाधन (विनियमन और प्रबंधन) अधिनियम, 2010 में यथा परिभाषित झीलों, नदियों या आर्द्रभूमि या अन्य जल चैनल, जल-मार्ग या जल स्रोत को नुकसान" रखें।

धारा 10. - (i) उप-धारा (1) में, "5000 रु." के स्थान पर "50,000 रु." रखें; और (ii) उप-धारा (2) में, "10,000 रुपए तक विस्तार हो सकता है" "10,000 रुपए से अनधिक" रखें।

धारा 12. - "दंड प्रक्रिया संहिता, संवत 1989 की धारा 260 से धारा 265" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 260, धारा 262 से धारा 265" रखें।

धारा 13. - उप-धारा (3) में, "सरकारी कोष में विप्रेषित" के स्थान पर "प्रशासन द्वारा यथाविहित रीति से विप्रेषित" रखें।

41. जम्मू-कश्मीर परा-चिकित्सा परिषद अधिनियम, 2014**(2014 का 7)**

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार" और "सरकारी राजपत्र", के स्थान पर क्रमशः "लद्दाख संघ राज्य क्षेत्र प्रशासन" और "राजपत्र" को रखें।

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "राज्य रजिस्टर" के स्थान पर "चिकित्सा रजिस्टर" रखें।

संपूर्ण अधिनियम में, उद्देशिका और धारा 55 के सिवाए, जब तक संदर्भ से अन्यथा उपबंधित न हो, "जम्मू-कश्मीर" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

संपूर्ण अधिनियम में, उद्देशिका के सिवाए, जब तक संदर्भ से अन्यथा उपबंधित न हो, "राज्य" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र" रखें।

धारा 2. - खंड (क) के पश्चात अंतःस्थापित करें अर्थात :-

(कक) "प्रशासन" से "लद्दाख संघ राज्यक्षेत्र प्रशासन" अभिप्रेत है;

(ii) खंड (ग) का लोप करें;

(iii) खंड (घ) में, -

(क) उपखंड (ii) में, जम्मू-कश्मीर होम्योपैथी प्रैक्टिशनर अधिनियम, 2003 (2003 का अधिनियम 8) की धारा 2 के खंड (घ)" के स्थान पर "होम्योपैथी केंद्रीय चिकित्सा परिषद अधिनियम, 1973 (1973 का 59) की धारा 2 का खंड (घ)" को रखें।

(ख) उपखंड (iii) में, "जम्मू-कश्मीर आयुर्वेदिक और यूनानी प्रैक्टिशनर अधिनियम, 1959 (1959 का अधिनियम 26) की धारा 2 के क्रमशः खंड (2) और खंड (3)" के स्थान पर "भारतीय चिकित्सा केंद्रीय परिषद अधिनियम, 1970 (1970 का 48) के उपबंध; और

(iv) खंड (थ) का लोप करें।

धारा 4. - उप-धारा (1) के स्थान पर प्रतिस्थापित करें-

"(1) परिषद में प्रशासन द्वारा नियुक्त सदस्य सम्मिलित होंगे" अंतःस्थापित करें।

धारा 5. - खंड (क) का लोप करें।

धारा 31.- उप-धारा (3) में, "दंड प्रक्रिया संहिता, संवत् 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

धारा 32. - उप-धारा (4) में, "राज्य रणवीर दंड संहिता" के स्थान पर "भारतीय दंड संहिता (1860 का 45)" को रखें।

धारा 38. - उप-धारा (3) में, "साक्ष्य अधिनियम, संवत् 1977" के स्थान पर "भारतीय साक्ष्य अधिनियम, 1872 (1872 का 1)" रखें।

धारा 42. - दोनों स्थानों पर, "साक्ष्य अधिनियम, संवत् 1977", "सार्वजनिक सेवा (पूछताछ) अधिनियम, संवत् 1977" और "नागरिक प्रक्रिया संहिता, संवत् 1977" के स्थान पर क्रमशः "भारतीय साक्ष्य अधिनियम, 1872(1872 का 1)", "लोक सेवक (पूछताछ) अधिनियम, 1850 (1850 का 37)" और "नागरिक प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।

42. जम्मू-कश्मीर यात्री कराधान अधिनियम, 1963

(1963 का 12)

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार", के स्थान पर "लद्दाख संघ राज्य क्षेत्र प्रशासन" रखें।

- धारा 1. - (i) उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र" रखें।
- धारा 2. - धारा (जजज) में, "जम्मू-कश्मीर साधारण बिक्री कर अधिनियम, 1962 की धारा 21A के अधीन गठित अपीलीय अधिकरण" के स्थान पर, "अधिकरण या प्राधिकरण लद्दाख संघ राज्यक्षेत्र प्रशासन द्वारा नामनिर्दिष्ट" रखें।
- धारा 3. - उप-धारा (1) में, "किसी भी मामले में अधिकतम दो नया पैसे के अध्यक्षीन, कर की रकम की गणना निकटतम नया पैसे में" का लोप करें।
- धारा 9. - उप-धारा (1) में "पच्चीस रुपये की" के स्थान पर "जैसा लद्दाख संघ राज्य क्षेत्र प्रशासन द्वारा विहित किया जाए" रखें।
- धारा 12. - उप-धारा (5) में, "सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर, "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।
- धारा 16. - (i) उप-धारा (1) में, दोनों स्थानों पर, "उप बिक्रीकर आयुक्त (प्रशासन)" के स्थान पर, "उपायुक्त" को रखें ; और
- (ii) उप-धारा (2) का लोप करें।
- धारा 16 ख. - "सीमांकन अधिनियम संवत् 1995" के स्थान पर, " परिसीमा अधिनियम, 1963 (1963 का 36)" रखें।
- धारा 16 ग. - "जम्मू-कश्मीर साधारण बिक्रीकर अधिनियम, 1962 के अधीन उतनी ही शक्तियाँ जो उसके द्वाराप्रयोग की जा रही हैं" के स्थान पर " किसी सिविल न्यायालय की सभी शक्तियाँ निम्नलिखित प्रयोजनों के स्थान पर—
- (क) शपथ पत्र द्वारा तथ्यों का सबूत;
- (ख) किसी व्यक्ति को समन करना, और हाजिर करना और शपथ या प्रतिज्ञान पर उसकी परीक्षा करना ;
- (ग) दस्तावेज पेश करने के स्थान पर बाध्य करना; और
- (घ) साक्षियों की परीक्षा के लिए कमीशन निकालना।"

रखें।

धारा 16 घ. - लोप करें।

धारा 17. - उप-खंड (3) का लोप करें।

धारा 19 क. - तीसरे परंतुक में, "सरकारी राजपत्र" के स्थान पर, "राजपत्र" को रखें।"

43. प्लाईबोर्ड उद्योग (शेयर और औद्योगिक उपक्रमों का अर्जन) अधिनियम, 1987**(1987 का 6)**

पूर्णतः निरसन करें।

44. जम्मू-कश्मीर विनिर्दिष्ट वृक्ष परिरक्षण अधिनियम, 1969**(1969 का 5)**

पूर्णतः निरसन करें।

45. रिबन विकास निवारण अधिनियम, 2007**(2007 का 26)**

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार", "राज्य" और "जम्मू-कश्मीर राज्य" और "केंद्रीय सरकार" शब्दों से भिन्न के स्थान पर क्रमशः "लद्दाख संघ राज्यक्षेत्र प्रशासन" और "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 3. - "सरकारी राजपत्र" के स्थान पर, "राजपत्र" रखें ।

धारा 6. - "प्रभारी-मंत्री लोक निर्माण विभाग", के स्थान पर "लद्दाख प्रशासन" रखें ।

46. जम्मू-कश्मीर विनिर्दिष्ट तांबा बर्तन (मशीन द्वारा) विनिर्माण प्रतिषेध अधिनियम, 2006**(2006 का 13)**

पूर्णतः निरसन करें।

47. जम्मू-कश्मीर राज्य धूम्रपान प्रतिषेध (सिनेमा और रंगशाला) अधिनियम, संवत् 2009**(2009 का 28)**

पूर्णतः निरसन करें।

48. जम्मू-कश्मीर राज्य धूम्रपान प्रतिषेध और नॉन-स्मोकेर्स स्वास्थ्य सार्वजनिक सेवा यान में गैर-धूम्रपानकर्ता का स्वास्थ्य संरक्षण अधिनियम, 1997**(1997 का 20)**

पूर्णतः निरसन करें।

**49. जम्मू-कश्मीर गंदी बस्ती निवासियों का संपत्ति अधिकार अधिनियम,
(2012 का 11)**

पूर्णतः निरसन करें।

**50. जम्मू-कश्मीर संपत्ति कर बोर्ड अधिनियम, 2013
(2013 का 11)**

पूर्णतः निरसन करें।

**51. जम्मू-कश्मीर सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1988
(1988 का 17)**

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार" और "सरकारी राजपत्र" के स्थान पर क्रमशः "लद्दाख संघ राज्यक्षेत्र प्रशासन" और "राजपत्र" रखें।

संपूर्ण अधिनियम में उद्देशिका, और धारा 34 के सिवाय, "जम्मू-कश्मीर" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

संपूर्ण अधिनियम में उद्देशिका के सिवाय, जब तक संदर्भ से अन्यथा उपबंधित न हो, "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 1. - उप-धारा (2) में "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" को रखें।

धारा 2. - खंड (घ) में, -

(i) उप-खंड 2 (i) में 'कंपनी अधिनियम, 1956' के स्थान पर 'कंपनी अधिनियम, 2013' रखें।

(ii) उप-खंड 2 (i) में 'कंपनी अधिनियम, 1956' के स्थान पर 'कंपनी अधिनियम, 2013' और "राज्य या केंद्रीय" के स्थान पर 'कोई' रखें; और

(iii) उप-खंड 2 (ii) में 'राज्य' का लोप करें।

धारा 11. - "सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर "सिविल प्रक्रिया संहिता, 1908 (1908 का 5) रखें।

धारा 14. - उप-धारा (1) में "पाँच हजार रुपए" के स्थान पर "पचास हजार रुपए" रखें।

धारा 15. - "दंड प्रक्रिया संहिता, संवत् 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 20)" रखें।

धारा 23. - उप-खंड (3) का लोप करें।

52. जम्मू-कश्मीर लोक सुरक्षा अधिनियम, 1978**(1978 का 6)**

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार" और "सरकारी राजपत्र" के स्थान पर क्रमशः "लद्दाख संघ राज्यक्षेत्र प्रशासन" और "शासकीय राजपत्र" रखें।

संपूर्ण अधिनियम में, प्रस्तावना सहित, जब तक संदर्भ से अन्यथा उपबंधित न हो, "राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।

उद्देशिका "राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 1. - (i) उप-धारा (1) में "जम्मू-कश्मीर" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें; और

(ii) उप-धारा (2) में "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 2. - उप-धारा (1) में, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

धारा 8. - उप-धारा (3) में, -

(क) खंड (ख) में, उप-खंड (iii) में, "रणवीर दंड संहिता" के स्थान पर "भारतीय दंड संहिता (1860 का 45)" रखें; और

(ख) खंड (ग) में, "वन अधिनियम, संवत् 1987" के स्थान पर "भारतीय वन अधिनियम, 1927 (1927 का 16)" रखें।

धारा 10. - परंतुक का लोप करें।

धारा 12. - खंड (क) में, "धारा 87, धारा 88 और धारा 89" के स्थान पर "धारा 82, धारा 83, धारा 84 और 85" रखें।

धारा 14. - (i) उप-खंड (क) में, अंतःस्थापित करें, अर्थात् :, -

"परंतु लद्दाख संघ राज्यक्षेत्र के प्रशासन, यदि उपयुक्त समझे, तो इस अधिनियम के तहत सटे राज्य या संघ राज्य क्षेत्र के किसी भी प्राधिकरण को सलाहकार बोर्ड के रूप में नियुक्त कर सकता है।";

(ii) उप-धारा (3) में, -

(क) "उच्च न्यायालय के मुख्य न्यायाधीश के परामर्श से" का लोप करें; और

(ख) परंतुक अंतःस्थापित करें " परंतु उच्च न्यायालय के मुख्य न्यायाधीश के परामर्श के बिना उच्च न्यायालय के किसी न्यायाधीश या पीठासीन जिला और सेशन न्यायाधीश को बोर्ड का अध्यक्ष या सदस्य नियुक्त नहीं किया जाएगा।"

धारा 19. - (क) "साधारण खंड अधिनियम, संवत् 1977" के स्थान पर " साधारण खंड अधिनियम, 1897 (1897 का 10)" रखें। "

53. जम्मू-कश्मीर ठेकेदार रजिस्ट्रीकरण अधिनियम, 1956**(1956 का 16)**

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार" और "सरकारी राजपत्र" के स्थान पर क्रमशः "लद्दाख संघ राज्यक्षेत्र प्रशासन" और "राजपत्र" रखें।

संपूर्ण अधिनियम में उद्देशिका के अलावा, "जम्मू-कश्मीर" और "राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 5 . - (i) उप-धारा (2) में, 'विभाग के प्रभारी मंत्री' के स्थान पर 'लद्दाख संघ राज्यक्षेत्र प्रशासन' रखें; और

(ii) उप-धारा (3) का लोप करें।

धारा 7 . - '30 रुपए' के स्थान पर '100 रुपए' रखें।

धारा 8 . - 'स्टाम्प अधिनियम, 1977' के स्थान पर 'भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2)' रखें।

54. जम्मू-कश्मीर, पर्यटक व्यापार रजिस्ट्रीकरण अधिनियम, 1978**(1978 का 9)**

संपूर्ण अधिनियम में, "सरकारी राजपत्र" के स्थान पर "राजपत्र" रखें।

संपूर्ण अधिनियम में, धारा 24 से भिन्न, "सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें।

संपूर्ण अधिनियम में, "रणबीर दंड संहिता, संवत् 1989" के स्थान पर "भारतीय दंड संहिता, 1860 (1860 का 45)" रखें।

धारा 1 . - (i) उपधारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 2 . - (i) खंड (छ) में, स्पष्टीकरण 1, में "जम्मू-कश्मीर" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" को रखें।

(ii) खंड (ण) में, दोनों स्थानों पर, "राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 27 . - दोनों स्थानों पर, "प्रभारी-मंत्री" के स्थान पर "लद्दाख संघ राज्यक्षेत्र का प्रशासन" रखें।

धारा 28 . - उप-धारा (2) में, "दंड प्रक्रिया संहिता, संवत् 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

धारा 34 . - उप-धारा (2) में, "दंड प्रक्रिया संहिता, संवत् 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

धारा 35 . - "साक्ष्य अधिनियम, 1977" के स्थान पर "भारतीय साक्ष्य अधिनियम, 1872 (1872 में से 1)" रखें।

55. जम्मू-कश्मीर (आवासीय और वाणिज्यिक किराएदारी) अधिनियम, 2012

(2012 का 5)

- धारा 1. -
- (i) उप-धारा (2) में, -
- (क) "राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।
- (ख) परंतुक में, "सरकार " और "सरकारी राजपत्र" के स्थान पर, क्रमशः " लद्दाख संघ राज्यक्षेत्र का प्रशासन " और " राजपत्र" रखें ; और
- (iii) उप-खंड (3) में, "सरकारी राजपत्र" के स्थान पर " राजपत्र" रखें
- धारा 2 .-
- (i) खंड (ख) में,"जम्मू-कश्मीर विशेष न्यायाधिकरण अधिनियम, 1988 के अधीन स्थापित विशेष न्यायाधिकरण" के स्थान पर "लद्दाख प्रशासन द्वारा अधिसूचित अधिकरण या प्राधिकारण" रखें;
- (ii) खंड (ड) के स्थान पर, निम्नलिखित रखें—
- "(ड) "प्रशासन" से "लद्दाख संघ राज्यक्षेत्र का प्रशासन अभिप्रेत है ";
- (iii) खंड (ज) में, "नगर निगम या" का लोप करें;
- (iv) खंड (झ) और (ट) में "सरकार" के स्थान पर "प्रशासन" को रखें।
- (v) खंड (ठ) में,"सरकारी अस्पताल" के स्थान पर, " प्रशासन के स्वामित्व वाले या उसके द्वारा संचालित अस्पताल " रखें ; और
- (vi) खंड (य) में,"नगर निगम" का लोप करें।
- धारा 3. -
- (i) खंड (क) में, "राज्य सरकार" और "सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" और " प्रशासन" रखें।
- (ii) खंड (ड) में, "सरकार" के स्थान पर " प्रशासन" रखें; और
- (iii) खंड (च) में,"जम्मू-कश्मीर वक्फ अधिनियम, 2001" और "ट्रस्ट अधिनियम, संवत् 1977" के स्थान पर, क्रमशः " वक्फ अधिनियम, 1995" और "भारतीय ट्रस्ट अधिनियम, 1882" रखें।
- धारा 14. - उप-धारा (4) में, "सरकार" के स्थान पर " प्रशासन" रखें।
- धारा 29. -
- (i) "सरकार " और "सरकारी राजपत्र" के स्थान पर "प्रशासन " और " राजपत्र" रखें ; और
- (ii) परंतुक में, खंड (i) का लोप करें।
- धारा 30. -
- (i) "संपत्ति अंतरण अधिनियम, संवत् 1977", के स्थान पर "संपत्ति अंतरण अधिनियम, 1882" रखें।
- (ii) परंतुक में,-
- (क) दोनों स्थानों पर, "संपत्ति अंतरण अधिनियम, संवत् 1977", के स्थान पर

"संपत्ति अंतरण अधिनियम, 1882" रखें।

(ख) "अनुबंध अधिनियम, संवत् 1977", के स्थान पर "भारतीय अनुबंध अधिनियम, 1872" रखें।

धारा 31.-

(i) उप-खंड (1) में "सिविल प्रक्रियासंहिता, संवत् 1977", के स्थान पर "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।

धारा 32.

(i) उप-खंड (1) में "सिविल प्रक्रिया संहिता, संवत् 1977", के स्थान पर "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।

(ii) उप-खंड (2) में "रणवीर दंड संहिता और दंड प्रक्रिया संहिता, संवत्, 1989" के स्थान पर क्रमशः "भारतीय दंड संहिता (1860 का 45) और दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें ।

(iii) उप-खंड (6) में "दंड प्रक्रिया संहिता, संवत्, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें ।

धारा 37. -

(i) उपांत शीर्षक में, "राज्य की संचित निधि" का लोप करें; और

(ii) "राज्य की संचित निधि" के स्थान पर "ऐसा प्राधिकार जो प्रशासन द्वारा विहित किया जाए" रखें।

धारा 40. -

दोनों स्थानों पर, "सरकार" के स्थान पर "प्रशासन" रखें।

धारा 41. -

"सरकार" के स्थान पर "प्रशासन" रखें।

56. जम्मू-कश्मीर राज्य विधानमंडल सदस्यों के वेतन और भत्ते अधिनियम, 1960

(1960 का 19)

पूर्णतः निरसन करें।

57. जम्मू-कश्मीर विधानमंडल नेता प्रतिपक्ष के वेतन एवं भत्ते अधिनियम, 1985

(1985 का 16)

पूर्णतः निरसन करें।

58. जम्मू-कश्मीर आत्म निर्भर सहकारी अधिनियम, 1999

(1999 का 10)

संपूर्ण अधिनियम में, "सरकारी राजपत्र" और "सरकार" के स्थान पर क्रमशः "राजपत्र" और "लद्दाख संघ राज्यक्षेत्र प्रशासन" रखें।

संपूर्ण अधिनियम में, "जम्मू-कश्मीर" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 1. - (i) उप-खंड (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 2. - (i) खंड (23) में, "जम्मू-कश्मीर के संविधान की धारा 6 में परिभाषित राज्य के स्थायी निवासी" के स्थान पर "कोई व्यक्ति" रखें।

(ii) खंड (27) में, "राज्य के स्थायी निवासी" के स्थान पर "कोई व्यक्ति" रखें; और

(iii) खंड 30 में, "जिसके सदस्य राज्य के स्थायी निवासी हैं" का लोप करें।

धारा 3. - उप-धारा (1) में, "राज्य के स्थायी निवासी सम्मिलित होंगे" का लोप करें; और

धारा 16. - (i) खंड (क) में,-

(क) उप-खंड (i) में, "जम्मू-कश्मीर संविदा अधिनियम, संवत् 1977", के स्थान पर "भारतीय संविदा अधिनियम, 1872 (1872 का 9)" रखें; और

(ख) उप-खंड (ii) का लोप करें।

(ii) खंड (ग) में, "जम्मू-कश्मीर सोसाइटी रजिस्ट्रीकरण अधिनियम, संवत् 1998" के स्थान पर "सोसाइटी रजिस्ट्रीकरण अधिनियम, 1860 (1860 का 21)" रखें।

धारा 59. - "जम्मू-कश्मीर रजिस्ट्रीकरण अधिनियम, संवत् 1977" के स्थान पर "रजिस्ट्रीकरण अधिनियम, 1908 (1908 का 16)" रखें।

59. जम्मू-कश्मीर एकल खिड़की (औद्योगिक निवेश और कारबार सरलीकरण)

अधिनियम, 2018

(2018 का 10)

संपूर्ण अधिनियम में, धारा 2 के उपखंड (14) और उपखंड (17) या अन्यथा उपबंधित के सिवाय "सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र का प्रशासन" रखें।

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकारी राजपत्र", "जम्मू-कश्मीर" और "राज्य" के स्थान पर क्रमशः "राजपत्र", "लद्दाख संघ राज्यक्षेत्र", "संघ राज्यक्षेत्र" रखें।

- उद्देशिका- "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 2 . - (i) खंड (1) के पश्चात, खंड (1क) अंतःस्थापित करें अर्थात्, -
 "(कख) "प्रशासन" से "लद्दाख संघ राज्यक्षेत्र प्रशासन" अभिप्रेत है।
 (ii) खंड (16) का लोप करें।
 (iii) खंड (23) का लोप करें; और
 (iv) खंड (25) के पश्चात, अंतःस्थापित करें, अर्थात्, -
 "(25क) "प्रशासन" से "लद्दाख संघ राज्यक्षेत्र" अभिप्रेत है।
- धारा 3. - (i) उप-खंड (1) के स्थान पर निम्नलिखित अंतःस्थापित करें -
 "1 प्रशासन, सरकारी राजपत्र में अधिसूचना द्वारा प्रत्येक जिले के लिए एक जिला स्तरीय एकल खिड़की निकासी समिति का गठन कर सकेगा;"
- धारा 4. - उप-धारा (1) में, निम्नलिखित अंतःस्थापित करें -
 "1 प्रशासन, सरकारी राजपत्र में अधिसूचना द्वारा प्रत्येक जिले के लिए एक मंडल स्तरीय एकल खिड़की निकासी समिति का गठन कर सकेगा।"
- धारा 5.- उप-धारा (1) में, - "मुख्य सचिव", "अध्यक्ष, प्रदूषण नियंत्रण बोर्ड" और "निदेशक, उद्योग और वाणिज्य, संबंधित सदस्य" के स्थान पर क्रमशः "सलाहकार" और "अध्यक्ष, प्रदूषण नियंत्रण समिति" और "निदेशक, उद्योग और वाणिज्य, सदस्य-सचिव" रखें और "9" प्रबंध निदेशक, जम्मू-कश्मीर, सिडको सदस्य-सचिव" का लोप करें
- धारा 6. - "कश्मीर/जम्मू" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 8. - उप-धारा (2) में, "राज्य अधिनियमों" के स्थान पर "राज्य अधिनियमों, लद्दाख संघ राज्यक्षेत्र" में लागू करने के स्थान पर अनुकूलित" रखें।
- धारा 9. - "राज्य सरकार" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।
- धारा 26. - (i) उप-खंड (3) का लोप करें; और
 (ii) उप-धारा (4) में, "राज्य विधानमंडल द्वारा बनाए गए" के स्थान पर "नियमों में" रखें।
- धारा 27. - उप-खंड (2) का लोप करें

60. जम्मू-कश्मीर राज्य सड़क सुरक्षा परिषद अधिनियम, 2018**(2018 का 5)**

संपूर्ण अधिनियम में, "सरकारी राजपत्र" और "राज्य सड़क सुरक्षा परिषद" के स्थान पर "शासकीय राजपत्र" और "लद्दाख संघ राज्यक्षेत्र सड़क सुरक्षा परिषद" रखें।

संपूर्ण अधिनियम में, धारा 4 के उप-खंड (2) के खंड (iii) के सिवाय, "सरकार" के स्थान पर "प्रशासन" रखें।

संपूर्ण अधिनियम में, "राज्य" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।

संपूर्ण अधिनियम में, धारा 37 के सिवाय, "जम्मू-कश्मीर" के स्थान पर "लद्दाख संघ राज्यक्षेत्र" रखें।

धारा 2 .- उप-खंड (2) में, -

(क) खंड (i) के स्थान पर रखें।

(i) "प्रशासन" से "लद्दाख संघ राज्यक्षेत्र प्रशासन" अभिप्रेत है; और

(ख) खंड (ट) में, "यथास्थिति, जम्मू-कश्मीर नगर निगम अधिनियम, 2000 या" का लोप करें।

धारा 3. - उप-खंड (1) में, "अध्यक्ष जो परिवहन विभाग के प्रभारी मंत्री, उपाध्यक्ष के रूप में राज्य के मुख्य सचिव और ऐसे अन्य सदस्य होंगे" के स्थान पर "ऐसे सदस्यों" रखें।

धारा 4. - उप-खंड (3) के खंड (ii) में, "राज्य सरकार" के स्थान पर "प्रशासन" रखें।

धारा 10. - उप-खंड (1) में, "जम्मू-कश्मीर रोड सेफ्टी निधि" के स्थान पर "लद्दाख संघ राज्यक्षेत्र सड़क सुरक्षा निधि" रखें।

धारा 22. - उप-खंड (2) का लोप करें।

धारा 23. - (i) उप-खंड (3) में, "सरकार राज्य विधान मंडल के समक्ष प्रस्तुत करेगी" का लोप करें।

धारा 29. - (ii) "रणवीर दंड संहिता, संवत् 1989" शब्दों के स्थान पर "भारतीय दंड संहिता (1860 का 45)" रखें।

धारा 34. - (i) उप-खंड (3) का लोप करें।

61. सफायर अधिनियम, संवत् 1989**(1989 का 16)**

पूर्णतः निरसन करें।

62. जम्मू-कश्मीर राज्य भेड़ और भेड़ उत्पाद विकास बोर्ड अधिनियम, 1979**(1979 का 9)**

पूर्णतः निरसन करें।

63. जम्मू-कश्मीर विशेष अधिकरण अधिनियम, 1988**(1988 का 12)**

पूर्णतः निरसन करें।

64. जम्मू-कश्मीर राज्य नगर योजना अधिनियम, 1963**(1963 का 20)**

संपूर्ण अधिनियम में, जब तक संदर्भ से अन्यथा उपबंधित न हो, "सरकार", "सरकारी राजपत्र", "राज्य" और "मंत्री" के स्थान पर क्रमशः "प्रशासन", "राजपत्र", "संघ राज्य क्षेत्र" और "उप राज्यपाल के सलाहकार" रखें।

धारा 2 . - खंड (ख) के स्थान पर रखें, अर्थात् :-

"(ख) "प्रशासन" से "लद्दाख संघ राज्यक्षेत्र प्रशासन" अभिप्रेत है।

धारा 3. - उप-खंड (ण) में, "जम्मू-कश्मीर नगर निगम अधिनियम, संवत्, 2008" या "जम्मू एवं कश्मीर नगर क्षेत्र अधिनियम, 2011" के स्थान पर "जम्मू-कश्मीर नगर निगम अधिनियम, 2000" रखें।

धारा 18. - उप-खंड (6) में, "जम्मू-कश्मीर मध्यस्थता अधिनियम, संवत्, 2002" के स्थान पर "मध्यस्थता और सुलह अधिनियम, 1996 (1996 का 26)" रखें।

धारा 26. - "राज्य भूमि अर्जन अधिनियम, संवत् 1990" के स्थान पर, "भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30) रखें।

धारा 27. - (i) उपांत शीर्षक में, "भूमि अर्जन अधिनियम, 1990 की धारा 4 और धारा 6" के स्थान पर, "भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30) की धारा 11 और धारा 19" रखें।

(ii) "राज्य भूमि अर्जन अधिनियम, संवत् 1990 की धारा 4 और धारा 6" जहां-जहां दोनों स्थानों पर वह आता है, के स्थान पर, "भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30) की धारा 11 और धारा 19", रखें।

धारा 28 . - (i) उपांत शीर्षक में, "भूमि अर्जन अधिनियम, 1990 की धारा 15, धारा 23 और धारा 24" के स्थान पर "भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30) की धारा 26, धारा 27 और धारा 28" रखें; और

(ii) उप-धारा (1) में, "राज्य भूमि अर्जन अधिनियम, संवत् 1990 की धारा 15, धारा 23 और धारा 24" के स्थान पर "भूमि अर्जन, पुनर्वासन और पुनर्व्यवस्थापन में उचित प्रतिकर और पारदर्शिता अधिकार अधिनियम, 2013 (2013 का 30) की धारा 26, धारा 27 और धारा 28" रखें।

**65. जम्मू-कश्मीर ट्रेज़र ट्रोव अधिनियम, संवत् 1954
(1897 का परिषद संकल्प संख्या 37)**

पूर्णतः निरसन करें।

**66. जम्मू-कश्मीर शहरी संपत्ति (अधिकतम सीमा) अधिनियम, 1971
(1971 का 12)**

पूर्णतः निरसन करें।

**67. जम्मू-कश्मीर विलो (निर्यात और संचलन प्रतिषेध) अधिनियम, 2000
(2000 का 16)**

पूर्णतः निरसन करें।

**68. जम्मू-कश्मीर स्कूल शिक्षा अधिनियम, 2002
(2002 का 21)**

सम्पूर्ण अधिनियम में, अन्यथा उपबंधित के सिवाय, "सरकार" और "राजपत्र" के स्थान पर क्रमशः, "प्रशासन" और "राजपत्र" रखें,

सर्वत्र अधिनियम में प्रस्तावना के सिवाय या जैसा अन्यथा उपबंधित है, "जम्मू-कश्मीर" और "राज्य" के स्थान पर क्रमशः "लद्दाख संघ राज्यक्षेत्र" और "संघ राज्य क्षेत्र", रखें,

धारा 1.- उप-धारा (2) में, "संपूर्ण जम्मू-कश्मीर राज्य" के स्थान पर "संपूर्ण लद्दाख संघ राज्यक्षेत्र" रखा जाए।

धारा 2. - (i) खंड (क) के पश्चात, निम्नलिखित अंतः स्थापित करें -

"(कक) प्रशासन" से "लद्दाख संघ राज्यक्षेत्र का प्रशासन";

(ii) खंड (ग) का लोप करें;

(iii) खंड (ड.) में, "जिला शिक्षा अधिकारी" के स्थान पर "मुख्य शिक्षा अधिकारी" शब्द रखें;

(iv) खंड (ज) का लोप करें; और

(v) खंड (ण) के स्थान पर, "(ण)" "संघ राज्यक्षेत्र" से "लद्दाख संघ राज्य क्षेत्र" अभिप्रेत है।

धारा 6,7,8,9 और 10. – का लोप करें।

धारा 20 के पश्चात नई धारा का अंतःस्थापन करें. –

20क. प्राइवेट विद्यालय की फीस निर्धारण और विनियमन समिति का गठन।

- (1) प्रशासन, संघ राज्य क्षेत्र के प्राइवेट विद्यालयों में फीस को विनियमित करने और निर्धारित करने के प्रयोजनों के लिए "प्राइवेट विद्यालयों की फीस निर्धारण और विनियमन समिति" के रूप में जानी जाने वाली समिति का गठन करेगा।
- (2) समिति का एक अध्यक्ष होगा जो किसी उच्च न्यायालय का न्यायाधीश या प्रशासन का कोई अधिकारी रहा हो जो संघ राज्य क्षेत्र के सचिव या उससे ऊपर के रैंक से नीचे का न हो।
- (3) समिति के सदस्य ऐसे होंगे जो संघ राज्यक्षेत्र के प्रशासन द्वारा विहित किया जाये।
- (4) अध्यक्ष, प्रतिनिधि के रूप में किसी अन्य स्वतंत्र व्यक्ति या किसी मान्यताप्राप्त विद्यालय संगम के किसी प्रतिनिधि को विशेषज्ञ सदस्य के रूप में कर सकेगा, किंतु समिति के सदस्यों की कुल संख्या पांच से अधिक नहीं होगी।

20ख. अध्यक्ष की पदावधि और सेवा की अन्य शर्तें-

प्राइवेट विद्यालयों के फीस निर्धारण और नियमन के लिए समिति के अध्यक्ष की पदावधि और सेवा की अन्य शर्तों का निर्धारण इस प्रकार होगा, जैसा कि प्रशासन द्वारा विहित किया जाये।

20ग. समिति की शक्तियाँ और कृत्य.-

- (1) इस अधिनियम के उपबंधों या तत्समय प्रवृत्त किसी अन्य विधि के अधीन, प्राइवेट विद्यालयों के फीस निर्धारण और नियमन संबंधी समिति ऐसी शक्तियों का प्रयोग करेगी और ऐसे कृत्य करेगी जो प्रशासन द्वारा विहित किए जाएं ताकि यह सुनिश्चित किया जाये कि प्राइवेट विद्यालय, शिक्षा के व्यावसायीकरण और अनुचित मुनाफाखोरी में लिप्त नहीं हैं।
- (2) प्रशासन अधिसूचना द्वारा, प्राइवेट विद्यालयों के फीस निर्धारण और विनियमन संबंधी समिति में निहित शक्तियों में से कोई भी, उस विस्तार तक जो विहित किया जाये, उक्त समिति के अध्यक्ष को प्रत्यायोजित कर सकेगी।
- (3) प्राइवेट विद्यालयों की फीस निर्धारण और विनियमन संबंधी समिति द्वारा पारित आदेशों को लोक सेवक द्वारा सम्यक रूप से पारित किया गया माना जाएगा और इसके उल्लंघन या गैर-अनुपालन पर भारतीय दंड संहिता (1860 का 45) की धारा 188 के उपबंधों के अधीन अवज्ञा की कोटि में आयेगा।

20घ. फीस का अवधारण.-

- (1) प्राइवेट विद्यालयों के फीस निर्धारण और नियमन संबंधी समिति अगस्त, 2014 के पश्चात स्थापित किए गए प्राइवेट विद्यालयों द्वारा ली जाने वाली फीस का अवधारण करते समय अन्य बातों के साथ-साथ, स्थान, उपलब्ध

अवसंरचना, प्रशासन पर व्यय, प्राइवेट विद्यालय द्वारा प्रशासन या किसी अन्य व्यक्ति या एजेंसी या किसी अन्य कारक जो विहित किया जाए, से किसी भी रूप में प्राप्त साहाय्य, सहायता, या संभाल को ध्यान में रखेगा।

(2) प्राइवेट विद्यालयों के फीस निर्धारण और नियमन की समिति समय-समय पर विभिन्न श्रेणियों के अधीन लिए जाने वाले प्रभारों की अधिकतम सीमा नियत करने के लिए अधिसूचना जारी कर सकेगी।

20ड. प्राइवेट विद्यालयों द्वारा प्रभारित फीस -

(1) प्राइवेट विद्यालय छात्रों या अभिभावकों से सिवाय अध्यापन फीस, वार्षिक फीस, परिवहन फीस और पिकनिक, दौरे और सैर आदि विशेष प्रयोजन फीस जो पूरी तरह से स्वैच्छिक प्रकृति के होंगे या किसी अन्य फीस जैसा कि विहित प्रक्रिया का अनुपालन करने के पश्चात प्राइवेट विद्यालयों के फीस निर्धारण और विनियमन संबंधी समिति द्वारा अनुमोदित किया जाए, के सिवाय कोई अन्य फीस नहीं लेंगे।

परंतु प्राइवेट विद्यालय किसी भी रीति से ऊपर उल्लिखित फीस से भिन्न प्रवेश फीस या कोई अन्य रकम नहीं लेंगे, चाहे उसे किसी भी नाम से क्यों न जाना जाता हो।

20च. रिकॉर्ड मंगवाने की शक्ति - यदि यह निष्कर्ष निकलता है कि प्राइवेट विद्यालय ने उसके निर्देशों का उल्लंघन किया है या पालन नहीं किया है तो प्राइवेट विद्यालयों की फीस निर्धारण और विनियमन समिति किसी भी स्तर पर जांच के लिए किसी भी विद्यालय के रिकॉर्ड को मंगवा सकती है।

20छ. समिति के कर्मचारीवृंद -

(1) प्राइवेट विद्यालयों की फीस के निर्धारण और विनियमन संबंधी समिति को अपने कार्यों के निर्वहन में सहायता करने के प्रयोजन से समिति के अध्यक्ष के परामर्श से प्रशासन द्वारा समय-समय पर निर्धारित अधिकारी और कर्मचारी प्रदान किए जाएंगे।

(2) प्राइवेट विद्यालयों की फीस निर्धारण और विनियमन समिति के सभी स्थापना फीस प्रशासन द्वारा वहन किया जायेगा।

(3) उप-धारा (1) में निर्दिष्ट अधिकारियों और कर्मचारियों की सेवा निबंधन और शर्तें ऐसी होंगी, जो प्रशासन द्वारा समय-समय पर निर्धारित किया जाए।

(4) उप-धारा (1) में निर्दिष्ट अधिकारी और कर्मचारी इस अधिनियम के अधीन अपने कृत्यों के निर्वहन के लिए समिति के अनन्य प्रशासनिक नियंत्रण और निर्देश के अधीन होंगे।

20ज. उप-समितियाँ - प्रशासन ऐसी शक्तियों और कृत्यों के साथ संघ राज्यक्षेत्र स्तर या जिलों के स्तर पर ऐसी अन्य उप-समितियों का गठन कर सकेगा, जो प्राइवेट विद्यालयों में फीस को प्रभावी ढंग से विनियमित करने के लिए ठीक समझें।

20झ. विनियम बनाने की शक्ति- प्राइवेट विद्यालयों के फीस निर्धारण और विनियमन संबंधी समिति, अधिसूचना द्वारा, ऐसे नियम बना सकेगी, जैसा कि उक्त समिति के प्रयोजन को निष्पदित करने के लिए आवश्यक हो।

20ञ. दीवानी न्यायालय की शक्तियाँ- प्राइवेट विद्यालयों के फीस निर्धारण और विनियमन संबंधी समिति की इस अधिनियम के अधीन किसी भी जाँच को शुरू करने या कोई कार्यवाही शुरू करने के प्रयोजनों के लिए, वही शक्तियाँ होंगी जो सिविल प्रक्रिया संहिता, 1908 (1908 का 5) के अधीन किसी सिविल न्यायालय में निहित होती हैं।

धारा 22. - लोप कर दें।

धारा 25 के स्थान पर निम्नलिखित रखें.-

25. अधिकारिता का वर्जन -

(1) सिविल प्रक्रिया संहिता, 1908 (1908 का 5) या तत्समय प्रवृत्त किसी अन्य विधि में अंतर्विष्ट किसी भी प्रतिकूल बात के होते हुए भी, कोई भी न्यायालय कोई व्यादेश नहीं देगा या इस अधिनियम के अधीन की जा रही या की जाने वाली किसी भी कार्यवाही को अवरुद्ध करने वाला अंतरिम आदेश नहीं देगा।

(2) प्राइवेटों विद्यालयों के फीस निर्धारण और विनियमन समिति के अध्यक्ष या किसी भी सदस्य या किसी अधिकारी या अन्य कर्मचारी या प्रशासन या उक्त समिति के निर्देशन में काम करने वाले किसी भी व्यक्ति, जो इस अधिनियम के उपबंधों या उसके अधीन बनाए गए नियमों या आदेशों के अनुसरण में सद्भाव में किया या करने का आशय था, उसके विरुद्ध कोई वाद, अभियोजन या अन्य विधिक कार्यवाही नहीं की जाएगी।

धारा 27 के स्थान पर रखें.-

27. शास्ति. -

(1) प्राइवेट विद्यालयों के फीस निर्धारण और नियमन संबंधी समिति द्वारा जारी निर्देशों के उल्लंघन के सिवाय, जो कोई भी इस अधिनियम या उसके अधीन बनाए गए नियमों के किसी भी उपबंध का उल्लंघन करता है तो वह विद्यालय शिक्षा निदेशक द्वारा प्रथम अपराध के लिए पंद्रह हजार और प्रत्येक पश्चातवर्ती अपराध के लिए 50 हजार रुपये से अन्यून जुर्माने के लिए दायी होगा।

(2) कोई भी व्यक्ति या प्राइवेट विद्यालय जो प्राइवेट विद्यालयों की फीस निर्धारण और विनियमन के लिए समिति के निर्देशों का उल्लंघन करता है, वह प्रथम अपराध के लिए पचास हजार रुपये और प्रत्येक पश्चातवर्ती अपराध के लिए एक लाख रुपये से अन्यून जुर्माना के लिए दायी होगा तथा उक्त समिति ऐसे प्राइवेट विद्यालयों को असम्बद्ध करने के लिए भी सिफारिश कर सकती है।"

धारा 28 के स्थान पर रखें.-

28. पुनरीक्षण और अपील.-

(1) धारा 27 की उप-धारा (1) के अधीन किसी प्राधिकारी द्वारा पारित किसी भी आदेश से पीड़ित कोई व्यक्ति ऐसे प्ररूप और रीति में जो विहित किये जाएं, आदेश की तारीख के तीस दिनों की अवधि के भीतर निदेशक, स्कूल शिक्षा के समक्ष पुनरीक्षण याचिका फाइल कर सकेगा।

(2) कोई व्यक्ति या प्राइवेट विद्यालय, जो कि प्राइवेट विद्यालयों के फीस निर्धारण और विनियमन के लिए समिति द्वारा धारा 27 की उप-धारा (2) के अधीन प्रदत्त शक्तियों का प्रयोग किए गए किसी भी आदेश से पीड़ित है तो ऐसे आदेश के विरुद्ध, आदेश की तारीख से तीस दिनों की अवधि के भीतर जम्मू-कश्मीर उच्च न्यायालय में अपील कर सकेगा। "

धारा 29.- उप-धारा (2) में, खंड (छ) का लोप कर दें।

69. जम्मू-कश्मीर स्कूल शिक्षा बोर्ड अधिनियम, 1975

(1975 का 28)

सम्पूर्ण अधिनियम में, अन्यथा उपबंधित के सिवाय "सरकार" और "राजपत्र" के स्थान पर,, "लद्दाख संघ राज्य क्षेत्र प्रशासन" और "राजपत्र" शब्द रखे जायेंगे।

सम्पूर्ण अधिनियम में, उद्देशिका को और अधिनियम की धारा 44 में या अन्यथा उपबंधित के सिवाय "जम्मू-कश्मीर" और "राज्य" के स्थान पर क्रमशः "लद्दाख संघ राज्य क्षेत्र" और "संघ राज्य क्षेत्र" शब्द रखें ।

- उद्देशिका .-** "राज्य" तथा "जम्मू-कश्मीर राज्य में" के स्थान पर क्रमशः "संघ राज्य क्षेत्र" और "लद्दाख संघ राज्य क्षेत्र में" शब्द रखें ;
- धारा 1. -** उप-धारा (2) में, "सम्पूर्ण जम्मू-कश्मीर राज्य" के स्थान पर "सम्पूर्ण लद्दाख के संघ राज्य क्षेत्र" शब्द प्रतिस्थापित करें।
- धारा 2. -** (i) खंड (क) के स्थान पर निम्नलिखित रखें:-
 "(क)" व्याकरणिक रूपांतरों के साथ "संबद्ध" और किसी संस्था के संदर्भ में प्रयुक्त सजातीय पदों का अर्थ बोर्ड के विशेषाधिकारों के लिए प्रवेश के प्रयोजनों के लिए बोर्ड से संबद्ध या सम्बद्ध माना जाना है;"
 (कक) "बोर्ड" से खंड 3 के अधीन स्थापित स्कूल शिक्षा बोर्ड अभिप्रेत है;"
- (ii) खंड (ग) के स्थान पर रखें.-
 "(ग)" प्राथमिक शिक्षा "से सक्षम शैक्षणिक प्राधिकरण द्वारा विहित अध्ययन के पाठ्यक्रम के अनुसार ग्रेड-1 से ग्रेड-8 के तत्स्थानी स्कूल में प्रारंभिक स्तर पर शिक्षा अभिप्रेत है;"
- (iii) खंड (घ) के पश्चात् अंतःस्थापित करें-
 "(घक)" संस्था के प्रमुख "से, किसी संबद्ध संस्था के प्रधानाध्यापक या प्रधानाचार्य या कोई अन्य प्रधानाचार्य या शैक्षणिक अधिकारी अभिप्रेत है, जिसे किसी भी पदनाम से जाना जाए;"
- (iv) खंड (ज) के स्थान पर रखें.-
 "(ज)" संस्थानों के संदर्भ में प्रयुक्त "इसकी व्याकरणिक भिन्नताओं और सजातीय पदों के साथ, मान्यताप्राप्त" से
 पूर्व प्राथमिक, प्रारंभिक, माध्यमिक, उच्चतर माध्यमिक, उच्चतर माध्यमिक या शिक्षक प्रशिक्षण स्तर पर छात्रों को शिक्षा प्रदान करने के लिए लद्दाख संघ राज्य क्षेत्र का प्रशासन द्वारा मान्यताप्राप्त स्कूल या संस्था अभिप्रेत हैं;" ; तथा
- (v) खंड (ड) के स्थान पर रखें-
 "(ड)" "प्रशिक्षण संस्थान" से अभिप्रेत है, एक ऐसा प्रशिक्षण संस्थान जो निजी तौर पर या लद्दाख संघ राज्य क्षेत्र के प्रशासन द्वारा चलाया जाता है और लद्दाख संघ राज्य क्षेत्र के प्रशासन द्वारा मान्यता प्राप्त है और ऐसे बोर्ड से संबद्ध है जो प्रशासन द्वारा विहित किया जाए"।
- खंड 3. -** (i) उप-धारा (1) में, "प्रारंभिक शिक्षा" के स्थान पर "पूर्व-प्राथमिक शिक्षा, प्रारंभिक शिक्षा" रखें;
 (ii) उपधारा (1) में, अंतः स्थापित करें -
 "परंतु प्रशासन, बोर्ड का कार्य सौंप सकता है या किसी अन्य राज्य या किसी अन्य संघ राज्य क्षेत्र या केंद्रीय माध्यमिक शिक्षा बोर्ड या किसी अन्य निकाय के ऐसे बोर्ड को संबद्ध कर सकता है जो इस प्रयोजन के लिए अधिसूचित किया जाए।" और
 (iii) उप-धारा (2) में "जम्मू-कश्मीर राज्य बोर्ड" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र का बोर्ड" शब्द रखें।
- धारा 4. -** धारा 4 के स्थान पर रखें -
 "4. बोर्ड की संरचना - बोर्ड में ऐसे सदस्य शामिल होंगे जिन्हें प्रशासन द्वारा नियुक्त किया जाए"।

धारा 9. -

- (i) पार्श्व शीर्षक में, "और उसके दो प्रभाग" का लोप करें;
- (ii) "श्रीनगर और जम्मू में ऐसी अवधि के लिए जो अध्यक्ष समय-समय पर अवधारित करें" के स्थान पर "लद्दाख संघ राज्य क्षेत्र प्रशासन द्वारा यथा विहित किया जाए" शब्द रखें, और
- (iii) परंतुक को लोप करें।

धारा 10. -

- (i) खंड (i) में "प्रारंभिक" के स्थान पर "पूर्व-प्राथमिक और प्रारंभिक"; शब्द रखें; और
- (ii) "परीक्षाओं" के पश्चात् "और प्रारंभिक शिक्षक प्रशिक्षण पाठ्यक्रम" शब्द अंतःस्थापित करें;
- (iii) खंड (ii) में, "पाठ्यक्रम" के पश्चात्, "और शिक्षक प्रशिक्षण शिक्षा पाठ्यक्रम" शब्द अंतःस्थापित करें;
- (iv) खंड (iii) में, "बोर्ड" के पश्चात्, "इलेक्ट्रॉनिक और प्रिंट मीडिया के माध्यम से" अंतःस्थापित करें;
- (v) खंड (v) में, "हायर सेकंडरी कोर्सेस" के पश्चात्, "और शिक्षक प्रशिक्षण पाठ्यक्रम आदि" शब्द अंतःस्थापित करें;
- (vi) खंड (xiii) में, "जम्मू विश्वविद्यालय, कश्मीर विश्वविद्यालय" के स्थान पर "लद्दाख विश्वविद्यालय" रखें;
- (vii) खंड (xv) के स्थान पर रखें;
- "(xv) बोर्ड के साथ संबद्धता के लिए आवेदन करने वाले स्कूल की कार्यशैली तथा उसमें उपलब्ध सुविधाओं के बारे में" स्कूल शिक्षा के संबंधित निदेशक से रिपोर्ट मंगवाने हेतु;
- (viii) खंड (xvi) में, "संबंधित" के पश्चात् "पूर्व-प्राथमिक" और "शिक्षा" के पश्चात् "शिक्षक प्रशिक्षण पाठ्यक्रम" शब्द अंतःस्थापित करें;
- (ix) खंड (xviii) के स्थान पर रखें -
 "(xviii) अधिनियम के विभिन्न उपबंधों को लागू करने के लिए विनियम तैयार करना।"
- (x) खंड (xxvii) के स्थान पर रखें;
 "(xxvii) (क) प्रारंभिक शिक्षक शिक्षा सहित विभिन्न चरणों में अध्ययन के विभिन्न विषयों के लिए विभिन्न पाठ्य समिति का गठन करने या नियुक्त करने के लिए;
- (ख) संबंधित पाठ्यक्रम समिति द्वारा तैयार या विकसित और अनुमोदित पाठ्य पुस्तकों की छपाई और प्रकाशन का कार्य करना; और
- (xi) खंड (xxviii) के स्थान पर रखें-
 "(xxviii) अधिनियम के उद्देश्यों को पूरा करने के लिए माध्यमिक शिक्षा बोर्ड (COBSE), राष्ट्रीय शैक्षिक अनुसंधान और प्रशिक्षण परिषद (NCERT), राष्ट्रीय अध्यापक शिक्षा परिषद (NCTE) सहित विभिन्न संबद्ध संगठनों के साथ संपर्क करना।"

धारा 11. -

उपधारा (3) का लोप करें;

धारा 13. -

उपधारा (4) के स्थान पर रखें;

“(4) यदि अध्यक्ष की राय में कोई भी आपात स्थिति उत्पन्न हो गई है जिसके लिए तत्काल कार्रवाई की जानी चाहिए, तो वह इस तरह की कार्रवाई करेगा जो वह उचित समझे और उसके पश्चात्, इस प्रयोजन के लिए बुलाई गई बैठक में या अगली बैठक में बोर्ड को अपनी की गई कार्रवाई की रिपोर्ट करेगा।

परन्तु अध्यक्ष अतिशीघ्र अपनी कार्रवाई की रिपोर्ट उसके कारण सहित कार्यालय प्राधिकारी या बोर्ड या बोर्ड के अन्य निकाय, जैसी भी दशा हो, को कर सकता है, जो साधारण स्थिति में मामले को देखता है।

परन्तु यह और कि इन शक्तियों के अधीन किसी भी प्रकार की नियुक्ति नहीं की जाएगी:

परन्तु यह और भी कि इन शक्तियों के अधीन किसी भी प्रकार की कोई प्रोन्नति नहीं की जाएगी। ”

धारा 16 और 17.

लोप करें-

धारा 17 के पश्चात्, नई धारा का अंतःस्थापन -

17क. शैक्षणिक निदेशक: - ज्येष्ठ और सक्षम विद्वानों या शिक्षाविदों को जिन्हें पाठ्यक्रम बनाने, शिक्षण-अधिगम पद्धति, संज्ञानात्मक अधिगम में सजातीय प्रगति सहित विभिन्न मुद्दों और ऐसे सभी संबंधित मामलों पर गहरी समझ हो, में से शैक्षणिक निदेशक को लद्दाख संघ राज्य क्षेत्र प्रशासन द्वारा नियुक्त किया जाएगा।

"17ख. शैक्षणिक निदेशक की शक्तियां और कृत्य : बोर्ड के नियंत्रण और विनियमों के अधीन रहते हुए शैक्षणिक निदेशक, बोर्ड के ऐसे प्रभागों के प्रमुख होंगे जो बोर्ड के विभिन्न शैक्षिक उद्देश्यों की प्राप्ति के लिए विनियमों में उपबंधित किए जाएं और इनमें निम्नलिखित शामिल होंगे:-

(क) शिक्षा के विभिन्न चरणों के लिए पाठ्यक्रम तैयार करना;

(ख) विभिन्न शिक्षक शिक्षा पाठ्यक्रमों के लिए पाठ्यक्रम तैयार करना;

(ग) व्यावसायिक पाठ्यक्रमों और शारीरिक शिक्षा के लिए पाठ्यक्रम तैयार करना;

(घ) संघ राज्य क्षेत्र में शिक्षा, प्रचार और गुणवत्ता शिक्षा के विकास के विभिन्न चरणों के लिए सामग्री या पुस्तकें तैयार करना;

(ङ.) परीक्षाओं की स्कीम का पुनर्विलोकन या पुनरीक्षण या तैयार करना;

(च) मूल्यांकन के नए तरीकों में अभिविन्यास पाठ्यक्रम संचालित करना;

(छ) नई स्कीमों या नए पाठ्यक्रम को पढ़ाने के संबंध में शिक्षकों के रिक्रेशर पाठ्यक्रम का संचालन करना। ”

धारा 22 के बाद, पश्चात् नई धारा का अंतःस्थापन-

"22क. वित्तीय सलाहकार- (1) प्रशासनिक सचिव, वित्त विभाग, या लद्दाख संघ राज्य क्षेत्र प्रशासन द्वारा नामित कोई भी अधिकारी बोर्ड का पदेन वित्तीय सलाहकार होगा।

(2) वित्तीय सलाहकार बोर्ड और उसकी वित्त समिति का पदेन सदस्य होगा।

(3) वित्तीय सलाहकार ऐसी शक्तियों का प्रयोग करेगा और ऐसे कर्तव्यों का पालन करेगा जो इस अधिनियम के अधीन बनाए गए कानून और नियमों द्वारा विहित किए जाएं।

- धारा 33.- उप-धारा (2) के खंड (घ) में दोनों स्थान पर "मान्यता" के स्थान पर "संबद्धता" शब्द रखें।
- धारा 34. - लोप करें।
- धारा 35. - धारा 35 के स्थान पर निम्नलिखित रखें;
 "35. विनियमों और उसके परिवर्तनों की प्रतियां- बोर्ड द्वारा धारा 33 के अधीन बनाए गए प्रत्येक विनियमन और उसमें प्रत्येक उपांतर या पुनरीक्षण की एक प्रति जानकारी के लिए लद्दाख संघ राज्य क्षेत्र के प्रशासन को प्रस्तुत की जाएगी।"
- धारा 36. - "हाई स्कूल और उच्चतर माध्यमिक स्कूली शिक्षा" के स्थान पर "हाई स्कूल, उच्चतर माध्यमिक स्कूल और प्रारंभिक शिक्षक प्रशिक्षण शिक्षा" रखें।
 धारा 37 के स्थान पर रखें-
 "37. बोर्ड के विशेषाधिकारों के लिए संस्थानों का प्रवेश- (1) राज्य या राज्य के बाहर स्थित कोई भी संस्था, बोर्ड के विशेषाधिकारों के लिए बोर्ड में आवेदन कर सकती है और बोर्ड ऐसी शर्तों और प्रतिबंधों के अधीन रहते हुए, जो विहित किया जाए, बोर्ड के विशेषाधिकारों के लिए ऐसी संस्था के आवेदन को स्वीकार कर सकता है।
 (2) जहां बोर्ड इस बात से संतुष्ट है कि किसी भी संबद्ध संस्थान द्वारा अपने विशेषाधिकारों का दुरुपयोग किया जा रहा है, या ऐसे संस्थानों द्वारा विहित शर्तों या प्रतिबंधों का अनुपालन नहीं किया जा रहा है, तो बोर्ड संस्थानों से अपने विशेषाधिकार वापस ले सकता है, और उसके पश्चात संस्थान एक संबद्ध संस्थान नहीं रहेगा:
 परंतु विशेषाधिकार वापस लेने से पहले, बोर्ड द्वारा संस्थान को यह दिखाने की आवश्यकता होगी कि इस तरह की कार्रवाई उसके विरुद्ध क्यों नहीं की जानी चाहिए और बोर्ड संस्थान द्वारा प्रस्तुत किसी भी स्पष्टीकरण पर विचार कर सकता है।"
- धारा 38.- लोप करें।
 धारा 40 के स्थान पर रखें।
 बोर्ड की बैठकें- (1) बोर्ड एक वर्ष में कम से कम चार बार अपनी बैठकें आयोजित करेगा किंतु उसकी अंतिम बैठक और अगली बैठक के बीच तीन महीने का अंतर नहीं होगा।
 (2) बोर्ड की प्रत्येक बैठक की अध्यक्षता अध्यक्ष करेगा।
 (3) बोर्ड की बैठक में सभी मामले उपस्थित और मतदान करने वाले सदस्यों के बहुमत द्वारा तय किए जाएंगे:
 परंतु मतों की समानता के मामले में, अध्यक्ष, एक सदस्य के रूप में अपने मत के अतिरिक्त मत दे सकता है।
 (4) कुल सदस्यों का दो-तिहाई बोर्ड की बैठक में एक कोरम बनाएगा:
 परंतु यदि कोरम न होने पर बैठक स्थगित की जाती है, तो उसी कार्य के लिए अगली बैठक में कोरम आवश्यक नहीं होगा।
 (5) बैठक आयोजित होते ही बोर्ड की प्रत्येक बैठक की कार्यवाही की प्रति सचिव द्वारा लद्दाख संघ राज्य क्षेत्र प्रशासन को भेज दी जाएगी।

(6) बोर्ड द्वारा इस अधिनियम के अधीन की गई कोई कार्रवाई, या कार्यवाही, सदस्यों के बीच किसी रिक्ति के विद्यमान रहने के आधार पर या उसके गठन में दोष या प्रक्रिया में अनियमितता के कारण मामले के गुणावगुण को प्रभावित न करने वाली किसी भी अनियमितता के कारण अविधिमान्य नहीं होगी।

धारा 43 के स्थान पर रखें-

"43. विधिक कार्यवाहियाँ : - बोर्ड, या उसके किसी भी सदस्य, या उसके किसी अधिकारी या अन्य कर्मचारियों, या बोर्ड के निदेशों के अधीन कार्य करने वाले किसी व्यक्ति या बोर्ड के किसी भी अधिकारी या अन्य कर्मचारियों के विरुद्ध इस अधिनियम या इसके अधीन बनाए गए किसी नियम या विनियमन के अनुसरण में किए गए या किए जाने वाले किसी किसी कार्य के लिए या नोटिस के पश्चात् दो मास की अवधि की समाप्ति तक, और किसी अन्य मामले में, उस व्यक्ति जिसके विरुद्ध वाद दायर किया जाना है, के कार्यालय या निवास स्थान पर नोटिस दिए जाने के दो मास की समाप्ति तक और जब तक कि इस तरह की सूचना में स्पष्ट रूप से कार्रवाई का कारण, मांगी गई अनुतोष की प्रकृति, दावा की गई प्रतिफल की रकम का और इच्छुक वादी के नाम और निवास का स्थान का उल्लेख नहीं है और जब तक वादी यह नहीं कह देता, कि नोटिस को इस प्रकार दिया गया या परिदान कर दिया गया है" तब तक उसके खिलाफ वाद नहीं संस्थित किया जाएगा।

धारा 43 के पश्चात्, नई "43क. कॉपी राइट- (1) बोर्ड द्वारा विकसित, मुद्रित और प्रकाशित सभी सामग्रियों की कॉपी राइट बोर्ड में ही निहित होगी।

(2) बोर्ड, स्कूल शिक्षा से संबंधित सामग्री किसी भी एजेंसी से विकसित, प्रकाशित या मुद्रित करवा सकता है, जिसे वह लोक हित में उचित समझे "

"43ख. वसूली की संक्षिप्त शक्तियाँ: - स्कूल शिक्षा बोर्ड द्वारा किसी भी व्यक्ति से पुस्तकों का क्रय, विक्रय, परिवहन, मुद्रण, भंडारण या पारगमन और पुस्तकों और मुद्रण सामग्री में कमी के कारण या बोर्ड के पदधारियों द्वारा अन्य रकमों का पुर्विनियोग किया गया है, जिससे राशि वसूल की जानी है तो ऐसे व्यक्ति से ऐसे धन की वसूली की जाएगी और वसूली की प्रक्रिया भूमि राजस्व अधिनियम, 1996 की धारा 90 के अधीन विहित प्रक्रिया के अनुसार की जाएगी। "

70. जम्मू-कश्मीर गोजातीय प्रजनन (उत्पादन का विनियमन गोजातीय वीर्य का विक्रय और कृत्रिम गर्भाधान सेवा) अधिनियम, 2018

(2018 का एलआई)

सम्पूर्ण अधिनियम में, अन्यथा उपबंधित के सिवाय "राज्य", "जम्मू-कश्मीर" और "राजपत्र", के स्थान पर "संघ राज्य क्षेत्र", "लद्दाख संघ राज्य क्षेत्र" और "राजपत्र" रखें,

सम्पूर्ण अधिनियम में, धारा 21 की उप-धारा (1) या अन्यथा उपबंधित के सिवाय "सरकार" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र प्रशासन", शब्द रखें;

धारा 2. - (i) खंड (क) के पश्चात् अंतःस्थापित करें-

"(कक) "प्रशासन" से "लद्दाख संघ राज्य क्षेत्र का प्रशासन" अभिप्रेत है;

- (ii) खंड (ज) में, "कश्मीर और पशुधन विकास बोर्ड जम्मू" का लोप करें
- (iii) खंड (ण) का लोप करें; और
- (iv) खंड (त) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।
- धारा 5. -** धारा 5 में, "अध्यक्ष, जम्मू-कश्मीर राज्य कार्यान्वयन एजेंसी / प्रशासनिक सचिव, पशु भेड़पालन और मत्स्य विभाग के कार्यालय में" के स्थान पर "प्रशासन द्वारा यथाअधिसूचित" शब्द रखें।
- धारा 9. -** उप-धारा (1) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।
- धारा 17. -** (i) उप-धारा (1) में, "जम्मू-कश्मीर विशेष अधिकरण अधिनियम, 1988 (1988 का अधिनियम संख्या 19) के अधीन स्थापित अधिकरण" के स्थान पर "प्रशासन द्वारा यथा अधिसूचित ऐसे प्राधिकरण"; और
- (ii) उप-धारा (2) में "अधिकरण" के स्थान पर "ऐसे प्राधिकरण" शब्द प्रतिस्थापित करें।
- धारा 18. -** उप-धारा (2) में, "जम्मू-कश्मीर दंड प्रक्रिया संहिता, संवत् 1989 (1933 A.D)" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 29. -** "रणवीर दंड संहिता, संवत् 1989" के स्थान पर "भारतीय दंड संहिता, 1860 (1860 का 45)" रखें।
- धारा 32. -** उपधारा (3) का लोप कर दें।
- धारा 34. -** "जम्मू / कश्मीर" विकल्प के स्थान पर "लद्दाख" शब्द रखें।

71. जम्मू-कश्मीर आकाशी रज्जुमार्ग अधिनियम, 2002

(2002 का 12)

सम्पूर्ण अधिनियम में, उद्देशिका या अन्यथा उपबंधित के सिवाय, "जम्मू-कश्मीर" और "राज्य" के स्थान पर क्रमशः "लद्दाख संघ राज्य क्षेत्र" और "संघ राज्य क्षेत्र" शब्द रखें;

सम्पूर्ण अधिनियम में, धारा 6 की उपधारा (4) के खंड (ix) के सिवाय या अन्यथा उपबंधित, "सरकार" के स्थान पर "प्रशासन" शब्द रखें,

सम्पूर्ण अधिनियम में राज्य रणवीर दंड संहिता संहिता संवत् 1989 के स्थान पर भारतीय दंड संहिता (1860 का 45) रखें।

धारा 1. - उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

- धारा 2. -** (i) खंड (क) के पश्चात् अंतःस्थापित -
- "(कक) प्रशासन" से लद्दाख संघ राज्य क्षेत्र का प्रशासन" अभिप्रेत है;
- (ii) खंड (ग) के पश्चात्, खंड (गग) अंतःस्थापित करें, अर्थात् -
- "(गग) कलेक्टर" का अर्थ है कलेक्टर, जो भूमि राजस्व अधिनियम, संवत् 1996 के अधीन परिभाषित है";
- (iii) खंड (घ) का लोप करें;

(iv) खंड (च) के स्थान पर अंतःस्थापित करें, -

"(च)"निरीक्षक" का अर्थ है एक अधिकारी, एक समिति या एक एजेंसी जो इस अधिनियम के अधीन प्रशासन द्वारा इस प्रकार नियुक्त की गई है";

(v) खंड (ट) के उपखंड (iv) में "कंपनी अधिनियम, 1956" के स्थान पर "कंपनी अधिनियम, 2013 (2013 का 18) रखें; और

(ii) उप-खंड (v) में "भारतीय रेलवे अधिनियम, 1980" के स्थान पर "रेलवे अधिनियम, 1989 (1989 का 24)" रखें;

धारा 3 और 4 के स्थान पर निम्नलिखित रखें;

"3. रियायतों के लिए घोषणा - आवश्यक प्रारंभिक जांच के लिए एक प्रस्तावित आकाशी रज्जुमार्ग के संबंध में प्रशासन के अलावा एक इच्छुक प्रमोटर द्वारा प्रत्येक घोषणा संभागीय आयुक्त को एक आवेदन के रूप में प्रस्तुत की जाएगी।

4. घोषणा की विषयवस्तु - ऐसे प्रत्येक आवेदन के साथ सम्यक् रूप से शपथ पत्र लगाया जाएगा और इसमें निम्नलिखित शामिल होंगे:

(i) वचनबंध का विवरण और प्रस्तावित आकाशी रज्जुमार्ग द्वारा अनुसरित मार्ग;

(ii) निर्माण और प्रबंधन की प्रणाली का विवरण और आकाशी रज्जुमार्ग से समुदाय को अपेक्षित लाभ;

(iii) इसके निर्माण की लागत का अनुमानित अनुमान; तथा

(iv) इस तरह के नक्शे, योजना, खंड, चित्र और अन्य जानकारी जिसकी लद्दाख के संघ राज्य क्षेत्र के प्रशासन को प्रस्ताव पर विचार करने की आवश्यकता हो सकती है। "

धारा 18 के स्थान पर रखें :-

"18. संप्रवर्तक दर नियत कर सकेंगे.- संप्रवर्तक को आकाशी रज्जुमार्ग, पर काम करने के प्रयोजनों के लिए, आकाशी रज्जुमार्ग पर यात्रियों, जानवरों या सामानों की गाड़ी के लिए दरें नियत करने की शक्तियां प्राप्त होंगी :

परंतु ऐसी दरें इस तरह की अधिकतम और न्यूनतम दरों के अध्यक्षीन होंगी, जिन्हें प्रशासन या किसी स्थानीय प्राधिकारी द्वारा रियायत, गारंटी, या वित्तीय सहायता के मामले में विहित या आदेशित किया जा सकेगा।

धारा 30. -

"राज्य भूमि अर्जन अधिनियम, संवत् 1990" के स्थान पर "भूमि अर्जन, पुनर्वासन और पुनर्वास अधिनियम में उचित प्रतिकार और पारदर्शिता का अधिकार, 2013 (30 का 2013)" रखें।

धारा 32. -

उप-धारा (4) का लोप करें।

धारा 34. -

"एक हजार रुपये" के स्थान पर "पाँच हजार रुपये" शब्द रखें।

72. जम्मू-कश्मीर वन (संरक्षण) बल अधिनियम, 2001**(2001 का 6)**

सम्पूर्ण का निरसन करें।

73. रम रसम निवारण अधिनियम, 1977**(1997 का 1)**

सम्पूर्ण अधिनियम में "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र" रखें।

खंड 4. - "पाँच सौ रुपये" के स्थान पर "पाँच हजार रुपये" शब्द रखें।

74. प्रोबेट और प्रशासन अधिनियम, संवत् 1977 (1920 ए.डी.)**(1977 का 29)**

सम्पूर्ण अधिनियम में अन्यथा उपबंधित के सिवाय "सरकार" और "राजपत्र", "जम्मू-कश्मीर" और "राज्य" के स्थान पर क्रमशः "प्रशासन" और "राजपत्र", "लद्दाख संघ राज्य क्षेत्र" और "संघ राज्य क्षेत्र" शब्द रखें।

सम्पूर्ण अधिनियम में, "सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर, "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें,

सम्पूर्ण अधिनियम में, "रणवीर दंड संहिता" के स्थान पर, जहाँ भी वे आते हैं, भारतीय दंड संहिता (1860 का 45) रखें,

धारा 1. - उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" रखें,**धारा 3. -** (i) "प्रांत- प्रांत का अर्थ है जम्मू का प्रांत या कश्मीर का प्रांत" शब्द के स्थान पर "प्रांत- प्रांत का अर्थ है लद्दाख संघ राज्य क्षेत्र"; और

(ii) "खदान" की परिभाषा में "वयस्कता अधिनियम, 1977," के स्थान पर " वयस्कता अधिनियम, 1875 (1875 का 9)" रखें।

धारा 59. - "सम्पूर्ण राज्य" के स्थान पर "सम्पूर्ण संघ राज्य क्षेत्र" शब्द रखें।**धारा 60. -** उप-धारा (2) में, उदाहरण में "सम्पूर्ण राज्य" के स्थान पर "सम्पूर्ण संघ राज्य क्षेत्र" शब्द रखें।

75. जम्मू-कश्मीर राष्ट्रीय विधि विश्वविद्यालय अधिनियम, 2018**(2019 का 2)**

सम्पूर्ण का निरसन करें।

76. श्रीनगर और जम्मू क्लस्टर विश्वविद्यालय अधिनियम, 2016**(2016 का 3)**

सम्पूर्ण का निरसन करें।

77. जम्मू-कश्मीर प्रवासी स्थावर समपत्ति (परिरक्षण, संरक्षण और करस्थितम् विक्रय पर अवरोध अधिनियम, 1997**(1997 का 16)**

सम्पूर्ण का निरसन करें।

78. जम्मू-कश्मीर प्रवासी (कार्यवाहियों पर रोक) अधिनियम, 1997**(1997 का 17)**

सम्पूर्ण का निरसन करें।

79. जम्मू-कश्मीर बाढ़ प्रवण क्षेत्र (विनियमन और विकास) अधिनियम, 2005**(2005 का 17)**

सम्पूर्ण का निरसन करें।

80. जम्मू-कश्मीर बाबा गुलाम शाह बादशाह विश्वविद्यालय अधिनियम, 2002**(2002 का 16)**

सम्पूर्ण का निरसन करें।

81. जम्मू-कश्मीर विश्वविद्यालय अधिनियम, 1969**(1969 का 24)**

सम्पूर्ण का निरसन करें।

82. जम्मू-कश्मीर श्री माता वैष्णो देवी विश्वविद्यालय अधिनियम, 1999**(1999 का 12)**

सम्पूर्ण का निरसन करें।

83. जम्मू-कश्मीर अभिध्वंस क्रियाकलापों का निवारण और दमन अधिनियम, 1965

(1965 का 22)

सम्पूर्ण का निरसन करें।

84. जम्मू-कश्मीर सिविल न्यायालय अधिनियम, संवत् 1977

(संवत् 1977 का 46)

सम्पूर्ण अधिनियम में, जब तक कि अन्यथा उपबंधित न हो 'सरकार' और 'राजपत्र' के स्थान पर, क्रमशः, 'लद्दाख संघ राज्य क्षेत्र प्रशासन' और 'राजपत्र' शब्द रखें;

सम्पूर्ण अधिनियम में "सिविल प्रक्रिया संहिता" के स्थान पर सिविल प्रक्रिया संहिता, 1908 (1908 का 5) रखें,

सम्पूर्ण अधिनियम में, "राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 1.- उप-धारा (2) में, "जम्मू-कश्मीर" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 2. - (i) खंड (i) का लोप कर दें;

(ii) खंड (i) के पश्चात् अंतःस्थापित करें -

"(क)" उच्च न्यायालय "से जम्मू-कश्मीर पुनर्गठन अधिनियम, 2019 (2019 का 34) के भाग VIII के अधीन बनाए गए जम्मू-कश्मीर संघ राज्य क्षेत्र और लद्दाख संघ राज्य क्षेत्र के लिए एक ही उच्च न्यायालय अभिप्रेत है"

धारा 3. - लोप करें।

धारा 4.- लोप करें।

धारा 8. - उपधारा (1) के खंड (घ) में, "वाद" के लिए "प्रयुक्त" शब्द रखें।

धारा 13. - "लघु बाद न्यायालय अधिनियम के अधीन स्थापित लघुवाद न्यायालय, और", शब्द का लोप करें।

धारा 24.- लोप करें।

धारा 25. - (i) उपधारा (2) में, (क) खंड (क) में, "प्रोबेट और प्रशासन" और "तीसरी अनुसूची का पांचवां पैरा" के स्थान पर "भारतीय उत्तराधिकारी अधिनियम, 1925 (1925 का 39)" और "तृतीय अनुसूची का पैरा 3"; शब्द रखें; और

(ख) "संरक्षक और प्रतिपाल्य अधिनियम" के स्थान पर "संरक्षक और प्रतिपाल्य अधिनियम, 1890 (1890 का 8)" रखें।

धारा 39. - उपधारा (2) में, "दूसरी अनुसूची का पैरा 17 या" का लोप करें।

धारा 43. - "जम्मू-कश्मीर राज्य का उच्च न्यायालय" के स्थान पर "उच्च न्यायालय" रखें।

85. जम्मू-कश्मीर भिक्षावृत्ति निवारण अधिनियम, 1960

(1960 का 40)

सम्पूर्ण का निरसन करें।

86. जम्मू-कश्मीर वृत्तिक प्रवेश परीक्षा बोर्ड अधिनियम, 2002

(2002 का 25)

सम्पूर्ण का निरसन करें।

87. जम्मू-कश्मीर (अनुचित साधन परीक्षा निवारण अधिनियम, 1987

(1987 का 20)

अन्यथा उपबंधित के सिवाय, सम्पूर्ण अधिनियम में 'सरकार', और राजपत्र, के स्थान पर क्रमशः 'प्रशासन' और 'राजपत्र' शब्द रखें,

उद्देशिका में या अन्यथा उपबंधित के सिवाय "जम्मू-कश्मीर" और "राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" और "संघ राज्य क्षेत्र" शब्द प्रतिस्थापित करें।

धारा 1. - उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 2. - (i) खंड (क) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" और "जम्मू-कश्मीर स्कूल शिक्षा बोर्ड अधिनियम, 1975 अथवा प्रशासन द्वारा अधिसूचित कोई अन्य बोर्ड" शब्द रखें";

(ii) खंड (क) के पश्चात्, खंड (कख) अंतःस्थापित करें, अर्थात्

"(कख) प्रशासन " से लद्दाख संघ राज्य क्षेत्र का प्रशासन" अभिप्रेत है;

(iii) खंड (ज) में "जम्मू-कश्मीर स्कूल शिक्षा बोर्ड अधिनियम, 1975" के स्थान पर "जम्मू-कश्मीर स्कूल शिक्षा अधिनियम, 1975 अथवा प्रशासन द्वारा अधिसूचित कोई अन्य बोर्ड" शब्द रखें";

(iv) खंड (ठ) में, "राज्य विधानमंडल द्वारा पारित किसी अधिनियम के अधीन स्थापित कोई विश्वविद्यालय" के स्थान पर "इस अधिनियम के प्रयोजनों के लिए प्रशासन द्वारा अधिसूचित कोई विश्वविद्यालय" शब्द रखें।

धारा 7. - "दंड प्रक्रिया संहिता, संवत् 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

धारा 8. - (i) "दंड प्रक्रिया संहिता, संवत् 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" शब्द रखें; और

(ii) खंड (iii) में, "दंड प्रक्रिया संहिता, संवत् 1989 की धारा 259-क " के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2) का अध्याय 19" शब्द रखें।

धारा 10. -

"रणवीर दंड संहिता" के स्थान पर "भारतीय दंड संहिता (1860 का 45)" शब्द रखें।

88. जम्मू-कश्मीर निजी महाविद्यालय (विनियमन और नियंत्रण) अधिनियम, 2002

(2002 का 22)

धारा 17 के खंड (2) या अन्यथा उपबंधित के सिवाय सम्पूर्ण अधिनियम में, 'सरकार' के स्थान पर 'लद्दाख संघ राज्य क्षेत्र' शब्द रखें,

अन्यथा उपबंधित के सिवाय सम्पूर्ण अधिनियम में, "राजपत्र", के स्थान पर "राजपत्र" शब्द रखें।

सम्पूर्ण अधिनियम में, अधिनियम की धारा 24 अथवा अन्यथा उपबंधित के सिवाय, जम्मू-कश्मीर के स्थान पर "लद्दाख संघ राज्य क्षेत्र", शब्द रखें।

सम्पूर्ण अधिनियम में, उद्देशिका सहित अथवा अन्यथा उपबंधित सहित "राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 1. -

उप-धारा (2) में 'जम्मू-कश्मीर राज्य' के स्थान पर 'लद्दाख संघ राज्य क्षेत्र' शब्द रखें।

धारा 2. -

(i) खंड (क) के पश्चात्, खंड (कख) अंतःस्थापित करें, अर्थात्-

"(कख) प्रशासन " से लद्दाख संघ राज्य क्षेत्र का प्रशासन; अभिप्रेत है;

(ii) खंड (ग) में, -

(क) 'कश्मीर विश्वविद्यालय या जम्मू विश्वविद्यालय से संबद्ध' के स्थान पर "लद्दाख विश्वविद्यालय या प्रशासन द्वारा अधिसूचित किसी अन्य विश्वविद्यालय से संबद्ध"; शब्द रखें।

(ख) उप-खंड (i) में, "कश्मीर विश्वविद्यालय या जम्मू विश्वविद्यालय 'के स्थान पर' इस अधिनियम के प्रयोजनों के लिए प्रशासन द्वारा अधिसूचित कोई भी विश्वविद्यालय" शब्द रखें।

(iii) खंड (च) का लोप करें;

(iv) खंड (i) में "राज्य" से कश्मीर राज्य अभिप्रेत है" के स्थान पर "संघ राज्य क्षेत्र" से "लद्दाख संघ राज्य क्षेत्र अभिप्रेत है" रखें;

(v) खंड (ज) में, कश्मीर-जम्मू विश्वविद्यालय अधिनियम, 1969 के अधीन स्थापित कश्मीर विश्वविद्यालय या जम्मू विश्वविद्यालय के स्थान पर 'लद्दाख विश्वविद्यालय या जम्मू, कश्मीर या लद्दाख मामलों का कोई अन्य विभाग" रखें।

खंड 3. -

उप-धारा (2) में, 'जम्मू-कश्मीर विश्वविद्यालय अधिनियम, 1969' के स्थान पर " लद्दाख विश्वविद्यालय अधिनियम, 2018" शब्द रखें।

खंड 9. -

उप-धारा (2) में, 'सरकारी सेवाएं' के स्थान पर 'लद्दाख संघ राज्य क्षेत्र प्रशासन के अधीन सेवाएं' रखें।

- धारा 17. - खंड (ठ) में, "जम्मू-कश्मीर विश्वविद्यालय अधिनियम, 1969" के स्थान पर "लद्दाख विश्वविद्यालय, 2018" शब्द रखें।
- धारा 19. - "सिविल प्रक्रिया संहिता, संवत् 1977" के स्थान पर "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।

89. पुलिस अधिनियम, 1983

(संवत् 1983 का 2)

सम्पूर्ण अधिनियम में, अन्यथा उपबंधित के सिवाय, 'सरकार', 'राज्य' और "जम्मू-कश्मीर राजपत्र" के स्थान पर, क्रमशः "लद्दाख संघ राज्य क्षेत्र प्रशासन" "लद्दाख संघ राज्य क्षेत्र" और "राजपत्र" शब्द रखें।

- धारा 2. - "इसके तीसरे प्रकाशन" के स्थान पर, "इसके प्रकाशन" रखें।
- धारा 4. - धारा 4 के अंत में, 'इस अधिनियम में "महानिरीक्षक", "उप महानिरीक्षक", "सहायक महानिरीक्षक", "अधीक्षक", "उप अधीक्षक", "सहायक अधीक्षक" या पुलिस बल में कोई अन्य पद, यदि ऐसा कोई पद लद्दाख के संघ राज्य क्षेत्र में मौजूद नहीं है, तो एक समकक्ष पद या ऐसे पद का उल्लेख करने के लिए समझा जाए, जो लद्दाख संघ राज्य क्षेत्र के प्रशासन द्वारा इस उद्देश्य के लिए अधिसूचित किया गया है।"
- धारा 8. - "जम्मू-कश्मीर के संविधान की धारा 126 के उपबंध" के स्थान पर "भारत के संविधान के अनुच्छेद 311 के उपबंध" रखें।
- धारा 17. - उप-धारा (1) में "दंड प्रक्रिया संहिता की धारा 386 और 387" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 421 और 422" रखें।
- धारा 27. - उप-धारा (2) में, "दंड प्रक्रिया संहिता, 1989 की धारा 525" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 459" शब्द रखें।

90. जम्मू-कश्मीर विज्ञान और प्रौद्योगिकी कश्मीर इस्लामिक विश्वविद्यालय

अधिनियम, 2005

(2005 का 18)

सम्पूर्ण का निरसन करें।

91. जम्मू-कश्मीर पुस्तक और समाचार पत्र परिदान (सार्वजनिक पुस्तकालय) अधिनियम, 1961**(1961 का 13)**

सम्पूर्ण का निरसन करें।

92. जम्मू-कश्मीर परम्परा संरक्षण और परिरक्षण अधिनियम, 2010**(2010 का 15)**

सम्पूर्ण अधिनियम में, अन्यथा उपबंधित के सिवाय, "सरकार" और "राजपत्र" के स्थान पर, क्रमशः, "लद्दाख संघ राज्य क्षेत्र प्रशासन" और "राजपत्र" रखें।

सम्पूर्ण अधिनियम में, उद्देशिका या अन्यथा उपबंधित के सिवाय, "जम्मू-कश्मीर" और "राज्य" के स्थान पर क्रमशः "लद्दाख संघ राज्य क्षेत्र" और "संघ राज्य क्षेत्र" शब्द रखें।

धारा 2. -

(i) खंड (क) के पश्चात्, अंतःस्थापित करें।

"(कक) "प्रशासन" से "लद्दाख संघ राज्य क्षेत्र का प्रशासन" अभिप्रेत है; और

(ii) खंड (ज) का लोप करें।

धारा 15. -

उप-धारा (i) में "पांच हजार रुपये" के स्थान पर "पचास हजार रुपये" शब्द रखें।

93. जम्मू-कश्मीर टीकाकरण अधिनियम, 1967**(1967 का 21)**

सम्पूर्ण का निरसन करें।

94. शेर-ए-कश्मीर आयुर्विज्ञान संस्थान (डिग्री अनुदान) अधिनियम, 1983**(1983 का 13)**

सम्पूर्ण का निरसन करें।

95. जम्मू-कश्मीर नागरिक विधि (विशेष उपबंध) अधिनियम, 2014**(2010 का 13)**

सम्पूर्ण का निरसन करें।

96. जम्मू-कश्मीर फल पौधशाला (अनुज्ञापन) अधिनियम, 1987**(1987 का 22)**

सम्पूर्ण अधिनियम में, जब तक अन्यथा उपबंधित न हों 'सरकार', और 'सरकारी राजपत्र के स्थान पर, क्रमशः, 'लद्दाख संघ राज्य क्षेत्र प्रशासन' और 'सरकारी राजपत्र' शब्द रखें।

सम्पूर्ण अधिनियम में उद्देशिका के सिवाय, जब तक अन्यथा उपबंधित न हो "जम्मू-कश्मीर" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

उद्देशिका.- "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 1. - उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 7. - "राज्य" के स्थान पर, जहाँ कहीं भी हो, "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 17. - "दंड प्रक्रिया संहिता, संवत्, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

धारा 18. - "राज्य रणवीर दंड संहिता" के स्थान पर "भारतीय दंड संहिता (1860 का 45)" रखें।

धारा 21. - उप-धारा (3) का लोप करें।

97. कृषक अनुतोष अधिनियम, 1983**(संवत् 1983 का I)**

सम्पूर्ण का निरसन करें।

98. जम्मू-कश्मीर सरकार द्वारा कृषकों को सहायता एवं भूमि सुधार अधिनियम**(1993 का 7)**

सम्पूर्ण का निरसन करें।

99. जम्मू-कश्मीर लोक सेवा गारंटी अधिनियम, 2011**(2011 का 9)**

सम्पूर्ण अधिनियम में, जब तक कि अन्यथा उपबंधित न हो 'सरकार', और 'राजपत्र' के स्थान पर, क्रमशः, 'लद्दाख संघ राज्य क्षेत्र प्रशासन', और "राजपत्र" रखें।

सम्पूर्ण अधिनियम में उद्देशिका या अन्यथा उपबंधित के सिवाय 'जम्मू-कश्मीर' के स्थान पर और 'राज्य' के स्थान पर 'लद्दाख संघ राज्य क्षेत्र', रखें।

उद्देशिका - 'राज्य' के स्थान पर 'लद्दाख संघ राज्य क्षेत्र' शब्द रखें।

धारा 2. - (i) खंड (क) के पश्चात्, खंड (कख) अंतःस्थापित करें, अर्थात् -
 "(कख) प्रशासन" से "लद्दाख संघ राज्य क्षेत्र प्रशासन" अभिप्रेत है और
 (ii) खंड (ड.), (झ) एवं और (ठ) का लोप कर दें।

धारा 9. - "सिविल प्रक्रिया संहिता" के स्थान पर "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।

खंड 15. - "विशेष ट्रिब्यूनल" के स्थान पर "लद्दाख संघ राज्य क्षेत्र प्रशासन द्वारा अभिहित प्राधिकरण" रखें।

100. लद्दाख बौद्ध संपत्ति उत्तराधिकार अधिनियम, 2000**(संवत् 2000 का 18)**

उद्देशिका. - "लद्दाख के बौद्ध" के स्थान पर "लद्दाख संघ राज्य क्षेत्र के बौद्ध" शब्द रखें।

भाग-1. - "जम्मू-कश्मीर राज्य" के स्थान पर उप-धारा (ii) में, "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 2. - खंड (ख) में, "लद्दाख जिला अभिप्रेत है" के स्थान पर "लद्दाख संघ राज्य क्षेत्र अभिप्रेत है" शब्द रखें।

101. जम्मू-कश्मीर सिविल सेवा (विशेष उपबंध) अधिनियम, 2010**(2010 का 14)**

सम्पूर्ण का निरसन करें।

102. राष्ट्रीय रक्षा निधि स्थावर संपत्ति दान (स्टांप ड्यूटी और रजिस्ट्रीकरण) अधिनियम, 1963**(1963 का 5)**

सम्पूर्ण अधिनियम में, जब तक कि अन्यथा उपबंधित न हो "सरकार" शब्द के स्थान पर, "प्रशासन" शब्द रखें।

धारा 4. - उप-धारा (1) में, "राजपत्र" के स्थान पर "राजपत्र" रखें।

103. स्टॉप अधिनियम, संवत् 1977**(1977 का 40)**

सम्पूर्ण का निरसन करें।

104. जम्मू-कश्मीर माल और सेवा कर अधिनियम, 2017**(2017 का 5)**

सम्पूर्ण का निरसन करें।

105. कश्मीर रेशम संरक्षण अधिनियम, 1964**(1964 का 14)**

सम्पूर्ण का निरसन करें।

106. जम्मू-कश्मीर रेशम (विकास और संरक्षण) अधिनियम, 1988**(1988 का 28)**

सम्पूर्ण का निरसन करें।

107. जम्मू-कश्मीर नामधा क्वालिटी नियंत्रण अधिनियम, संवत् 2010**[संवत् 2010 (1953 ई.पू.) का 6]**

सम्पूर्ण का निरसन करें।

108. जम्मू-कश्मीर अप्रचलित कानून (निरसन) अधिनियम, 2010**(2010 का 27)**

उद्देशिका. -

“राज्य” के स्थान पर “लद्दाख संघ राज्य क्षेत्र” प्रतिस्थापित करें।

109. जम्मू-कश्मीर राज्य वित्त आयोग अधिनियम, 2006**(2006 का 18)**

सम्पूर्ण का निरसन करें।

110. जम्मू-कश्मीर राजवित्तीय उत्तरदायित्व और बजट प्रबंध अधिनियम, 2006**(2006 का 12)**

सम्पूर्ण का निरसन करें।

111. पथकर उद्ग्रहण अधिनियम संवत् 1995**(1995 का 8)**

सम्पूर्ण का निरसन करें।

112. जम्मू-कश्मीर वृत्ति, व्यापार, आजीविका और नियोजन अधिनियम, 2005**(2005 का 9)**

सम्पूर्ण का निरसन करें।

113. जम्मू-कश्मीर राज्य आपात अनुतोष निधि अधिनियम, 1960**(1960 का 13)**

सम्पूर्ण का निरसन करें।

114. अतिव्याज ऋण अधिनियम, संवत् 1977**(1977 का 47)**

सम्पूर्ण का निरसन करें।

115. जम्मू-कश्मीर निक्षेपकर्ता (वित्तीय स्थापन में) के हितों का संरक्षण अधिनियम, 2018
(2018 का 13)

सम्पूर्ण का निरसन करें।

116. जम्मू-कश्मीर लेखा विनियम अधिनियम, संवत् 2001
(संवत् 2001 का 14)

सम्पूर्ण का निरसन करें।

117. जम्मू-कश्मीर शहरी स्थाकर संपत्ति कर (निरसन और व्यावृत्ति) अधिनियम, 2002
(2002 का 28)

सम्पूर्ण का निरसन करें।

118. जम्मू-कश्मीर किराएदारी अधिनियम, 1980
(संवत् 1980 का 2)

सम्पूर्ण का निरसन करें।

119. जम्मू-कश्मीर किराएदारी (बेदखली कार्यवाही पर रोक) अधिनियम, 1966
(1966 का 33)

सम्पूर्ण का निरसन करें।

120. जम्मू-कश्मीर बंधक सम्पत्ति प्रत्यास्थपन अधिनियम, 1976
(1976 का 14)

सम्पूर्ण का निरसन करें।

121. जम्मू-कश्मीर शहृत संरक्षण अधिनियम, संवत 2006**(2006 का 10)**

सम्पूर्ण का निरसन करें।

122. जम्मू-कश्मीर कारावास महानिरीक्षक (पदनाम में परिवर्तन) अधिनियम, 2001**(2001 का 13)**

सम्पूर्ण का निरसन करें।

123. जम्मू-कश्मीर सिख गुरुद्वारा और धार्मिक विन्साय अधिनियम, 1973**(1973 का 15)**

सम्पूर्ण अधिनियम में "राजपत्र" के लिए "राजपत्र" रखें।

सम्पूर्ण अधिनियम में, धारा 4 के खंड (vi) से भिन्न, "सरकार" के स्थान पर "लद्दाख संघ राज्य क्षेत्र का प्रशासन" शब्द रखें।

- उद्देशिका - "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र" प्रतिस्थापित करें।
- धारा 1. - (i) उप-धारा (2) में "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र" शब्द रखें; और
(ii) उप-धारा (2क) में "राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" रखें।
- धारा 2. - खंड (क) में, "राज्य" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र" रखें।
- धारा 2 क - "जम्मू-कश्मीर मकान और दुकान किराया नियंत्रण अधिनियम, 1966" के स्थान पर, "जम्मू-कश्मीर आवासीय और वाणिज्यिक किरायेदारी अधिनियम, 2012" रखें।
- धारा 4. - (i) खंड (v) में, "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।
(ii) खंड (vi) का लोप करें।
- धारा 6. - "श्रीनगर और जम्मू में रोटेशन द्वारा" का लोप करें।
- धारा 7. - "जम्मू और श्रीनगर में कार्यालयों" के स्थान पर, "लद्दाख में एक कार्यालय" शब्द रखें।
- धारा 8. - परंतुक का लोप करें।
- खंड 12. - खंड (vi) का लोप करें।

124. जम्मू-कश्मीर दान माल (विधि विरुद्ध कब्जा) अधिनियम**(1963 का 40)**

सम्पूर्ण का निरसन करें।

125. जम्मू-कश्मीर कचहरी अधिनियम, 2011**(2011 का 18)**

सम्पूर्ण अधिनियम में, जब तक कि अन्यथा उपबंधित न हो "सरकार", "जम्मू-कश्मीर" या "राज्य", और 'राजपत्र' के स्थान पर 'लद्दाख संघ राज्य क्षेत्र प्रशासन', "लद्दाख संघ राज्य क्षेत्र" और "राजपत्र", "संघ राज्य क्षेत्र", शब्द रखें।

धारा 1.- उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर, "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

खंड 3. - (i) उप-धारा (4) में "जम्मू-कश्मीर वन अधिनियम, 1987" और "वन विभाग के प्रभारी मंत्री" के स्थान पर "भारतीय वन अधिनियम, 1927 (1927 का 16)" और "लद्दाख संघ राज्य क्षेत्र प्रशासन" रखें;

(ii) उप-धारा (9) में, "जैसे कि कश्मीर घाटी में सम्मिलित राज्यक्षेत्र और" का लोप करें।

धारा 12. - खंड (ii) का लोप करें।

धारा 22. - उप-धारा (1) में, "वन विभाग के प्रभारी मंत्री" के स्थान पर "लद्दाख संघ राज्य क्षेत्र का प्रशासन" शब्द रखें।

धारा 25. - "दंड प्रक्रिया संहिता" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

धारा 32. - "दंड प्रक्रिया संहिता" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

126. जम्मू-कश्मीर सब्जी बीज अधिनियम, संवत्- 2009**(1973 का 14)**

सम्पूर्ण का निरसन करें।

127. शत्रु अभिकर्ता अध्यादेश, 2005**(संवत् 2005 का अध्यादेश 8)**

सम्पूर्ण अध्यादेश में, जब तक कि अन्यथा उपबंधित न हो, 'सरकार' और 'राज्य' के स्थान पर, क्रमशः 'लद्दाख संघ राज्य क्षेत्र का प्रशासन', और "लद्दाख संघ राज्य क्षेत्र" रखें।

- धारा 1.- उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर, दोनों स्थानों पर, जहां वे आते हैं, "संघ राज्य क्षेत्र लद्दाख" रखें।
- धारा 9. - उप-धारा (2) में, दोनों जगहों पर, जहां वे आते हैं "धारा 439" के स्थान पर "धारा 401" रखें।
- धारा 12. - "साक्ष्य अधिनियम, 1977" के स्थान पर "भारतीय साक्ष्य अधिनियम, 1872 (1872 का 1)" रखें।
- धारा 13. - उप-धारा (4) में, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 15. - "दंड प्रक्रिया संहिता, 1989" के लिए "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।
- धारा 16. - "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (1974 का 2)" रखें।

128. जम्मू-कश्मीर चौकीदार अधिनियम, 1956

(1956 का 37)

सम्पूर्ण अधिनियम में जब अन्यथा उपबंधित के सिवाय 'सरकार' और 'राजपत्र' के स्थान पर, 'लद्दाख संघ राज्य क्षेत्र प्रशासन, और 'राजपत्र' रखें।

उद्देशिका या अन्यथा उपबंधित के सिवाय "जम्मू-कश्मीर" और "राज्य" के स्थान पर क्रमशः "लद्दाख संघ राज्य क्षेत्र" और "संघ राज्य क्षेत्र" रखें।

उद्देशिका. - "जम्मू-कश्मीर राज्य में" के स्थान पर 'लद्दाख संघ राज्य क्षेत्र में' रखें।

धारा 1. - उप-धारा (2) में, "जम्मू-कश्मीर राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 11.- "रणबीर दंड संहिता, 1989" के स्थान पर "भारतीय दंड संहिता, 1860 (1860 का 45)" रखें।

129. जम्मू-कश्मीर पादप रोग और नाशकजीव अधिनियम, 1973

(1973 का 14)

सम्पूर्ण अन्यथा उपबंधित के सिवाय "सरकार" और "राजपत्र" के स्थान पर क्रमशः, "लद्दाख संघ राज्य क्षेत्र प्रशासन" और "राजपत्र" शब्द रखें।

उद्देशिका. - "राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 1. - उप-धारा (2) में "जम्मू-कश्मीर राज्य" के लिए "लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 10. - उप-धारा (3) में, "पाँच सौ रुपये" के स्थान पर "पाँच हजार रुपये" शब्द रखें।

धारा 16. - उप-धारा (4) का लोप करें।

130. जम्मू-कश्मीर श्री अमरनाथ जी पूजा स्थल अधिनियम, 2000**(2000 का 18)**

सम्पूर्ण का निरसन करें।

131. जम्मू-कश्मीर श्री माता सुखराला देवी जी और श्री माता बाला सुंदरी पूजा स्थल अधिनियम, 2013**(2013 का 3)**

सम्पूर्ण का निरसन करें।

132. जम्मू-कश्मीर श्री माता वैष्णों देवी पूजा स्थल अधिनियम, 1988**(1988 का 16)**

सम्पूर्ण का निरसन करें।

133. जम्मू-कश्मीर श्री शिव खोड़ी पूजा स्थल अधिनियम, 2008**(2008 का 4)**

सम्पूर्ण का निरसन करें।

134. जम्मू-कश्मीर राज्यपाल विशेष सुरक्षा बल अधिनियम, 2018**(2018 का 42)**

सम्पूर्ण का निरसन करें।

135. जम्मू-कश्मीर विशेष सुरक्षा समूह अधिनियम, 2000**(2000 का 6)**

पूरे का निरसन करें।

136. जम्मू-कश्मीर केसर अधिनियम, 2007**(2007 का 5)**

सम्पूर्ण का निरसन करें।

137. जम्मू-कश्मीर राज्य सतर्कता आयोग अधिनियम, 2011**(2011 का I)**

सम्पूर्ण का निरसन करें।

138. जम्मू-कश्मीर आदतन आभ्यासिक अपराधी (नियंत्रण और सुधार) अधिनियम, 1956**(1956 का 11)**

सम्पूर्ण का निरसन करें।

139. जम्मू-कश्मीर होम गार्ड अधिनियम, 2006**(संवत् 2006 का 3)**

सम्पूर्ण अधिनियम में, जब तक कि अन्यथा उपबंधित न हो, "सरकार", "राज्य" और 'राजपत्र', के स्थान पर 'लद्दाख संघ राज्य क्षेत्र प्रशासन', 'लद्दाख संघ राज्य क्षेत्र' और 'राजपत्र' रखें।

धारा 2 के स्थान पर प्रतिस्थापित करें : "2. होमगार्ड का गठन और कमांडेंट जनरल और कमांडेंट की नियुक्ति:

- (i) लद्दाख संघ राज्य क्षेत्र प्रशासन होमगार्ड्स नामक एक स्वयंसेवी संस्था का गठन करेगा, जिसके सदस्य व्यक्तियों की सुरक्षा, संपत्ति की सुरक्षा और लोक व्यवस्था, सार्वजनिक सुरक्षा और इस तरह के ऐसे कृत्यों और कर्तव्यों तथा ऐसे अन्य कृत्यों को करेंगे, जिन्हें इस अधिनियम के उपबंधों और उसके अधीन बनाए गए नियमों के अनुसार उन्हें सौंपा गया है।
- (ii) लद्दाख संघ राज्य क्षेत्र प्रशासन होमगार्ड्स के उपयुक्त ज्येष्ठता के एक अधिकारी को नियुक्त करेगा जो लद्दाख संघ राज्य क्षेत्र में होमगार्ड्स का सामान्य पर्यवेक्षण करेगा और उसे नियंत्रित करेगा।
- (iii) लद्दाख संघ राज्य क्षेत्र प्रशासन ऐसे कई अतिरिक्त अधिकारियों की नियुक्ति कर सकेगा, जो आवश्यक हो और जिस अधिकारी को खंड (i) में निर्दिष्ट किया गया हो, वह अपनी शक्तियों को जिन्हें वह होमगार्ड की पर्यवेक्षण, नियंत्रण और प्रशिक्षण के लिए आवश्यक समझे, उसे सौंप सकता है।
- (iv) लद्दाख संघ राज्य क्षेत्र का प्रशासन प्रत्येक जिले में होमगार्ड के लिए एक कमांडेंट की नियुक्ति भी करेगा। "

धारा 6-ख. -

(i) उप-धारा (1) में, "रणवीर दंड संहिता 1989" के स्थान पर "भारतीय दंड संहिता, (1860 का 45)" रखें; और

(ii) उप-धारा (2) का लोप करें।

धारा 6-ग -

उप-धारा (2) में, "दंड प्रक्रिया संहिता, 1989" के स्थान पर "दंड प्रक्रिया संहिता, 1973 (संवत् 1974 का 2)" रखें।

140. जम्मू-कश्मीर अग्नि बल अधिनियम, 1967

(1967 का 12)

सम्पूर्ण अधिनियम में, जब तक कि संदर्भ में अन्यथा उपबंधित न हो, 'सरकार', और 'राजपत्र' के लिए क्रमशः 'लद्दाख संघ राज्य क्षेत्र का प्रशासन' और 'राजपत्र' शब्द रखें।

सम्पूर्ण अधिनियम में उद्देशिका के सिवाय जब तक कि अन्यथा उपबंधित न हो 'राज्य' के स्थान पर 'लद्दाख संघ राज्य क्षेत्र' शब्द रखें।

धारा 2 - खंड (घ) में "जम्मू-कश्मीर राज्य अग्निशमन बल" के स्थान पर "लद्दाख अग्निशमन और बचाव सेवा" शब्द रखें।

धारा 3. - "जम्मू-कश्मीर राज्य अग्निशमन बल" के स्थान पर "लद्दाख अग्निशमन और बचाव सेवा" रखें।

धारा 14. - "राज्य की संचित निधि" के लिए "भारत की संचित निधि" प्रतिस्थापित करें।

धारा 17. - खंड (च) में उप-धारा (2) में "जम्मू-कश्मीर मध्यस्थता अधिनियम, संवत् 2002" के स्थान पर, "मध्यस्थता और सुलह अधिनियम, 1996 (1996 का 26)" रखें।

धारा 19. - "सिविल प्रक्रिया संहिता, संवत्, 1977" के स्थान पर, "सिविल प्रक्रिया संहिता, 1908 (1908 का 5)" रखें।

धारा 21. - "जम्मू-कश्मीर राज्य रणवीर संहिता, संवत् 1989" के लिए "भारतीय दंड संहिता, (1860 का 45)" रखें।

141. जम्मू-कश्मीर राज्य तकनीकी शिक्षा बोर्ड अधिनियम, 2002

(2002 का 24)

सम्पूर्ण अधिनियम में अन्यथा उपबंधित के सिवाय, 'राजपत्र' के स्थान पर, 'राजपत्र' शब्द रखें।

सम्पूर्ण अधिनियम में उद्देशिका और धारा 4 या अन्यथा उपबंधित के सिवाय 'राज्य' के स्थान पर, 'लद्दाख संघ राज्य क्षेत्र' शब्द रखें।

सम्पूर्ण अधिनियम में उद्देशिका, धारा 4 और धारा 36 या अन्यथा उपबंधित के सिवाय 'जम्मू-कश्मीर' के स्थान पर 'लद्दाख संघ राज्य क्षेत्र' शब्द रखें।

धारा 2 के खंड (ण) में निर्दिष्ट वाक्यांश 'भारत सरकार' के सिवाय पूरे अधिनियम में 'सरकार' के स्थान पर 'प्रशासन' शब्द रखें।

उद्देशिका.- "राज्य बोर्ड" और "राज्य में" के स्थान पर "संघ राज्य बोर्ड" तथा "संघ राज्य क्षेत्र" रखें।

धारा 1.- उप-धारा (2) में "सम्पूर्ण जम्मू-कश्मीर राज्य" के स्थान पर "सम्पूर्ण लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

धारा 2.- (i) खंड (क) के बाद खंड (कख) अंतःस्थापित करें, अर्थात्,
'(कख)' प्रशासन' से 'लद्दाख संघ राज्य क्षेत्र का प्रशासन' अभिप्रेत है;

(ii) खंड (ढ) का लोप करें।

(iii) खंड (ब) का लोप करें और

(iv) खंड (भ) के पश्चात् खंड (भक) अंतःस्थापित, अर्थात् -

'(कख) 'संघ राज्य क्षेत्र' से 'लद्दाख संघ राज्य क्षेत्र' अभिप्रेत है।

धारा 3.-

धारा 3 के पश्चात्, परंतुक अंतःस्थापित करें, अर्थात् -

"परंतु प्रशासन, बोर्ड का कार्य सौंप सकता है या किसी अन्य राज्य या किसी अन्य संघ राज्य क्षेत्र या किसी अन्य निकाय के ऐसे बोर्ड को संबद्ध कर सकता है जो इस उद्देश्य के लिए अधिसूचित किया जाए।"

धारा 5-

"निम्नलिखित सदस्यों के लिए ... (द) सदस्य-सचिव, सरकार द्वारा नियुक्त किया जाएगा के स्थान पर 'ऐसे सदस्यों, जिन्हें प्रशासन द्वारा नियुक्त किया जा सकेगा' शब्द रखें।

धारा 18.-

जम्मू-कश्मीर सिविल सेवा विनियमों में उपबंधित "प्रतिनियुक्ति की मानक शर्तों" के स्थान पर "प्रशासन द्वारा विहित "प्रतिनियुक्ति की शर्तें" शब्द रखें।

धारा 19.-

राज्य विधानमंडल द्वारा इस निमित्त विधि द्वारा किए गए उचित विनियोजन के पश्चात्" का लोप करें।

धारा 22.-

(i) उप-धारा (2) में, "कंपनी अधिनियम 1956 की धारा 226 के स्थान पर, कंपनी अधिनियम, 2013 (2013 का 18) की धारा 141 रखें, तथा

(ii) उप-धारा (5) का लोप करें।

धारा 30.-

(i) "जम्मू-कश्मीर राज्य रणबीर दंड संहिता, संवत्, 1989' जहाँ भी हो वे आते हैं 'भारतीय दंड संहिता 1860 (1860 का 45)'; रखें तथा

(ii) उप-धारा (2) में, 'दंड प्रक्रिया संहिता, 1989' के लिए 'दंड प्रक्रिया संहिता, 1973 (1974 का 2)' रखें।

धारा 32.-

उप-धारा (3) का लोप करें।

142. जम्मू-कश्मीर रैगिंग प्रतिषेध अधिनियम, 2011

(2011 का 6)

सम्पूर्ण अधिनियम में, अन्यथा उपबंधित के सिवाय, "सरकार", और "राजपत्र" के लिए क्रमशः "लद्दाख संघ राज्य क्षेत्र प्रशासन" और "राजपत्र", शब्द रखें।

उद्देशिका में या अन्यथा उपबंधित के सिवाय, पूरे अधिनियम में "जम्मू-कश्मीर" और "राज्य" के स्थान पर "लद्दाख संघ राज्य क्षेत्र" और "संघ राज्य क्षेत्र" रखें।

उद्देशिका. - 'जम्मू-कश्मीर राज्य में' के स्थान पर 'लद्दाख संघ राज्य क्षेत्र में' शब्द रखें।

खंड 2. -

(i) खंड (क) के पश्चात् खंड (कख) अंतःस्थापित, रखें।

"(कख) प्रशासन " से 'लद्दाख संघ राज्य क्षेत्र का प्रशासन;" अभिप्रेत है ;

(ii) खंड (घ) का लोप करें; और

(iii) खंड (ज) में "राज्य" का अर्थ "जम्मू-कश्मीर राज्य है" के स्थान पर "केंद्र शासित प्रदेश का अर्थ है लद्दाख संघ राज्य क्षेत्र" शब्द रखें।

[फा. सं. 11012/21/2020-एसआरए]

अजय कुमार भल्ला, गृह सचिव

ORDER

New Delhi, the 23rd October, 2020

S.O. 3775 (E).—In exercise of the powers conferred by section 96 of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019), and of other powers enabling it in that behalf, the Central Government hereby makes the following Order in respect of the Union territory of Ladakh, namely:-

1. (1) This Order may be called the Union territory of Ladakh Reorganisation (Adaptation of State Laws) Order 2020.
(2) It shall come into force with immediate effect.
2. The General Clauses Act, 1897 applies for the interpretation of this Order as it applies for the interpretation of laws in force in territory of India.
3. With immediate effect, the Acts mentioned in the Schedule to this Order shall, until repealed or amended by a competent authority, have effect, subject to the adaptations and modifications directed by the said Schedule, or if it is so directed, shall stand repealed.
4. Where this Order requires that in any specified section or other portion of an Act, certain words shall be substituted for certain other words, or the certain words shall be omitted, such substitution or omission, as the case may be, shall, except where it is otherwise expressly provided, be made wherever the words referred to occur in that section or portion.
5. The provisions of this Order which adapt or modify or repeal any law so as to alter the manner in which, the authority by which or the law under or in accordance with which, any powers are exercisable, shall not render invalid any notification, order, commitment, attachment, bye-law, rule or regulation duly made or issued, or anything duly done before the 31st day of October, 2019; and any such notification, order, commitment, attachment, bye-law, rule, regulation or anything may be revoked, varied or undone in the like manner, to the like extent and in the like circumstances, as if it had been made, issued or done after the commencement of this Order by the competent authority and in accordance with the provisions then applicable to such case.
6. The repeal or amendment of any law specified in the Schedule to this Order shall not affect—
 - (a) the previous operation of any law so repealed or anything duly done or suffered thereunder;
 - (b) any right, privilege, obligation or liability acquired, accrued or incurred under any law so repealed;
 - (c) any penalty, forfeiture or punishment incurred in respect of any offence committed against any law so repealed; or
 - (d) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019) or this Order had not been passed or issued.

THE SCHEDULE
(See paragraph 3)

STATE LAWS

1. THE JAMMU AND KASHMIR STATE AID TO INDUSTRIES ACT, 1961
(XXII of 1961)

Repeal as a whole.

2. THE JAMMU AND KASHMIR ANATOMY ACT, 1959
(XXII of 1959)

Throughout the Act, unless otherwise provided, for ‘Government’, ‘State’ and ‘Government Gazette, substitute ‘Administration of Union territory of Ladakh’, ‘Union territory of Ladakh’ and ‘Official Gazette’, respectively.

Section 6. – For “five hundred rupees” substitute “five thousand rupees”.

Section 9. – For “Ranbir Penal Code” substitute “Indian Penal Code (45 of 1860)”.

3. THE JAMMU AND KASHMIR ANCIENT MONUMENTS PRESERVATION ACT, SVT. 1977
(V of Samvat 1977)

Throughout the Act, unless otherwise provided, for ‘Government’, “Jammu and Kashmir”, “State Protected Monument”, “Minister” and ‘Government Gazette, substitute respectively “Administration of Union territory of Ladakh”, “Union territory of Ladakh”, “Protected Monument”, “Administration of Union territory of Ladakh” and ‘Official Gazette’.

Throughout the Act, for “Director, Archaeology” substitute “the officer appointed by the Administration of Union territory of Ladakh”.

Throughout the Act, for “Archaeology Department” substitute “the Department entrusted for carrying out the purposes of this Act”.

Section 2.– (i) In clause (3), for “of the Archaeology Department, not below the rank of Deputy Director.” substitute “appointed by the Administration of Union territory of Ladakh.”; and

(ii) omit clause (5-a).

Section 10. – in sub-section (1), for “Land Acquisition Act” substitute “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013)”.

Section 15. – In sub-section (2), for “one thousand rupees” substitute “ten thousand rupees”.

Section 17. – In sub-section (4), omit “not below the rank of Assistant Director”.

- Section 20-A. – Omit “or in the case of Ladakh District, the Deputy Commissioner of that District”.
- Section 20-C. – For “State Land Acquisition Act No. X of 1990” substitute “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act No. 30 of 2013)”.
- Section 22-A. – For “Code of Criminal Procedure, Samvat 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.

4. THE JAMMU AND KASHMIR BRICK KILNS (REGULATION) ACT, 2010 (XVII of 2010)

Throughout the Act, for “Government Gazette”, substitute “Official Gazette”.

Throughout the Act, for “Government”, substitute “Administration”.

- Preamble 1. – For “in the State”, substitute “in the Union territory of Ladakh”.
- Section 1. – (i) in sub-section (1), for “Jammu and Kashmir”, substitute “Union territory of Ladakh” ; and
(ii) in sub-section (2), for “State of Jammu and Kashmir”, substitute “Union territory of Ladakh”.
- Section 2. – (i) in clause (a), for “State”, substitute “Union territory of Ladakh” ; and
(ii) for clause (h), substitute-
(h) “Administration” shall mean Administration of the Union territory of Ladakh.’
- Section 3. – In sub-section (2), in the proviso, for “by a notified order”, substitute “by notification in the Official Gazette”.
- Section 4. – In clause (d), for “demarcated forest area of the State under the Jammu and Kashmir Forest Act, 1987”, substitute “forest land of Union territory of Ladakh under the Indian Forest Act, 1927 (16 of 1927)”.
- Section 6. – (i) in sub-section (1), for “State”, substitute “Union territory of Ladakh” ; and
(ii) in sub-section (4), in clause (II), in sub-clause (ii), for “State Pollution Control Board”, substitute “Union territory of Ladakh Pollution Control Committee”.
- Section 8. – In sub-section (2), in clause (f), for “Pollution Control Board”, substitute “Union territory of Ladakh Pollution Control Committee”.
- Section 12. – In the Explanation, for “sections 102 and 103 of the Code of Criminal Procedure, Samvat 1989”, substitute “section 100 of the Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 13. – For “State”, substitute “Union territory of Ladakh”.
- Section 18. – For “the Hoarding and Profiteering Prevention Ordinance, Samvat 2000 and any other law”, substitute “any law”.
- Section 23. – For “State Ranbir Penal Code”, substitute “Indian Penal Code (45 of 1860)”.
- Section 28. – For “State”, substitute “Union territory of Ladakh”.

5. THE JAMMU AND KASHMIR CAMPING AND MOORING SITES ACT, 2004

(XII of Samvat 2004)

Repeal as a whole.

6. THE JAMMU AND KASHMIR STATE COMMISSION FOR BACKWARD CLASSES ACT,

1997

(XII of 1997)

Repeal as a whole.

7. THE JAMMU AND KASHMIR CONTROL OF BUILDING OPERATIONS ACT, 1988

(XV of 1988)

Throughout the Act, unless otherwise provided, for “Government”, and “Government Gazette”, substitute “Administration of Union territory of Ladakh”, and “Official Gazette”, respectively.

Throughout the Act, for “Jammu and Kashmir” or “J&K” and “State” substitute “Union territory of Ladakh” except in the preamble.

- Section 1.** – In sub-section (2), for ‘State of Jammu and Kashmir’ substitute ‘Union territory of Ladakh’.
- Section 2.** – (i) In clause (9), in sub-clause (i), omit “, commonly known as “PAND-PAND” in Kashmir Valley’ ;
(ii) in clause (10), for “Jammu and Kashmir Government” substitute “Administration of Union territory of Ladakh”. ; and
(iii) omit clause (13).
- Section 3.** – In sub-section (1), omit ‘State’.
- Section 4.** – Omit ‘State’.
- Section 5.** – In sub-section (3), omit ‘State’.
- Section 10.** – For “Code of Criminal Procedure, Samvat, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)” and in sub-clause (a) of clause (ii), for “section 57” substitute “section 42”.
- Section 11.** – For “Minister” wherever occurring substitute “Administration of Union territory of Ladakh”.

8. THE JAMMU AND KASHMIR CO-OPERATIVE SOCIETIES ACT, 1989

(X of 1989)

Throughout the Act, for “Government Gazette”, and “the Transfer of Property Act, Samvat, 1997”, wherever occurring, substitute “Official Gazette” and “the Transfer of property Act, 1882” respectively.

Throughout the Act, other than in preamble unless otherwise provided, for “Jammu and Kashmir”, substitute “Union territory of Ladakh”.

- Preamble — (i) for “in the State”, occurring at both the places, substitute “in the Union territory of Ladakh”.
(ii) omit “in accordance with the directive principles of State policy enunciated in the Constitution of Jammu and Kashmir”.
- Section 1. – (i) In sub-section (1), for “Jammu and Kashmir”, substitute “Union territory of Ladakh”;

- (ii) in sub-section (2), for “State of Jammu and Kashmir”, substitute “Union territory of Ladakh”.
- Section 2. – In sub-clause (iii) of clause (f), for “Apex level”, substitute “Apex level of the Union territory of Ladakh”.
- Section 3. – In sub-section (1), for “whole of the State of Jammu and Kashmir”, substitute “whole of the Union territory of Ladakh”.
- Section 10. – In sub-section (1), for “programmes of the State”, substitute “programmes of Union territory of Ladakh”.
- Section 16. – In sub-section (1), in proviso, omit “and every such order shall be laid, as soon as may be, after it is made, before each House of the State legislature.”.
- Section 17. – In sub-section (1), -
 (i) in clause (a), -
 (a) in sub-clause (i), for “Jammu and Kashmir Contract Act, Samvat 1977”, substitute “Indian Contract Act, 1872 (21 of 1860) ;
 (b) omit sub-clause (ii) ; and
 (ii) in clause (c), for “the Jammu and Kashmir Societies Registration Act, Samvat 1998”, substitute “the Society Registration Act, 1860.”
- Section 35. – In the proviso to clause (i), -
 (a) for “State Government”, substitute “Administration of Union territory of Ladakh”; and
 (b) omit “subject to the provisions of section 140 of the Transfer of Property Act, Samvat, 1977”.
- Section 40. – For “Jammu and Kashmir Registration Act, Samvat 1977”, substitute “Registration Act, 1908 (16 of 1908)”.
- Section 60. – For “Trust Act, Samvat 1977”, substitute “Indian Trust Act 1882” (2 of 1882).
- Section 79. – In sub-section (1), for “the State”, occurring at both the places, substitute “Union territory of Ladakh”.
- Section 91. – In sub-section (1), omit “arising from a” and “under the Aid to Agriculturists and Land Improvement Act, Samvat 1993”.
- Section 92. – In sub-section (2), for “Nothing in the Big landed Estates Abolition Act, Samvat 2007”, substitute “Notwithstanding anything contained in any law for the time being in force”.
- Section 94. – For “Registration Act, Samvat 1977”, substitute “Registration Act, 1908 (16 of 1908)”.
- Section 107. – In sub-section (1), for “Jammu and Kashmir Registration Act, Samvat 1977”, substitute “Registration Act, 1908 (16 of 1908)”.
- Section 111. – Omit “Notwithstanding anything contained in section 6 of the Jammu and Kashmir Land Alienation Act, Samvat 1995”.
- Section 131. – In sub-section (3), for “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 132. – In sub-section (1), for “section 89A”, substitute “section 69A”.
- Section 134. – In marginal head and sub-section (1), for “Jammu and Kashmir Houses and Shop Rent Control Act, 1966”, substitute “the

- Residential and Commercial Tenancy Act, 2012”.
- Section 143. – For “Jammu and Kashmir Land Acquisition Act, Samvat 1990”, substitute “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”.
- Section 153. – In clause (c), for “Jammu and Kashmir Ranbir Penal Code”, substitute “Indian Penal Code (45 of 1860)”.
- Section 155. – For “Article 182 of the First Schedule to the Limitation Act, Samvat 1995”, substitute “section 137 of the Limitation Act, 1963 (36 of 1963).
- Section 171. – For “Companies Act, 1956 (01 of 1956)”, substitute “Companies Act, 2013 (18 of 2013)”.
- Section 174. – In sub-section (1), for “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 176. – In sub-section (1), for “State”, substitute “Union territory of Ladakh”.

9. THE JAMMU AND KASHMIR DEBTORS RELIEF ACT, 1976 (XV of 1976)

Throughout the Act, unless otherwise provided, for “Government”, substitute “Administration of Union territory of Ladakh”.

- Preamble. – For “in the Jammu and Kashmir State”, substitute “in the Union territory of Ladakh”.
- Section 1. – (i) in sub-section (2), for “State of Jammu and Kashmir”, substitute “Union territory of Ladakh”; and
(ii) in sub-section (3), for “Government Gazette”, substitute “Official Gazette”.
- Section 2. – (i) In clause (1), –
(a) in sub-clause (ii), for “Jammu and Kashmir Co-operative Societies Act, 1960”, substitute “Jammu and Kashmir Co-operative Societies Act, 1989”;
(b) in sub-clause (ii), omit “or section 140 of the Jammu and Kashmir Transfer of Property Act, 1977”;
(c) in sub-clause (v), for “Government of Jammu and Kashmir”, occurring at both the places, substitute “Administration of Union territory of Ladakh”; and
(ii) in Explanation to clause (2), for “Government of Jammu and Kashmir”, substitute “Administration of Union territory of Ladakh” ;
(iii) in clause (9), for “Jammu and Kashmir Co-operative Societies Act, 1960”, substitute “Jammu and Kashmir Co-operative Societies Act, 1989”; and
(iv) in sub-section (10), for “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 3. – (i) in sub-section (1), for “Government Gazette”, substitute “Official Gazette”;
(ii) in sub-section (7), for “Government Gazette”, substitute “Official Gazette”; and

- (iii) in sub-section (11), for “Limitation Act, Svt. 1995”, substitute “Limitation Act, 1963 (36 of 1963)”.
- Section 4. – Omit proviso.
- Section 12. – For “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 22. – For “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 30. – For “Jammu and Kashmir Limitation Act, Svt. 1995”, substitute “Limitation Act, 1963 (36 of 1963)”.
- Section 32. – For “Ranbir Penal Code, Svt. 1989”, substitute “Indian Penal Code (Act 45 of 1860)”.
- Section 34. – (i) Omit “the Revenue Minister or”, occurring at both the places; and
(ii) for “Government Gazette”, substitute “Official Gazette”.

10. THE JAMMU AND KASHMIR DEPUTY MINISTERS' SALARIES AND ALLOWANCES ACT, 1957 (VI of 1957)

Repeal as a whole.

11. THE JAMMU AND KASHMIR DEPUTY SPEAKER'S AND DEPUTY CHAIRMAN'S (EMOLUMENTS) ACT, 1956 (XXII of 1956)

Repeal as a whole.

12. THE JAMMU AND KASHMIR DEVELOPMENT ACT, 1970 (XIX of 1970)

Throughout the Act, unless otherwise provided, for “Government”, “Government Gazette” and “State”, substitute “Administration”, “Union territory” and “Advisor to the Lieutenant Governor”, respectively.

- Section 2. – In clause (1), for “section 3 of Land Acquisition Act, 1990”, substitute “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”.
- Section 8. – In sub-section (1), for “for each of the zones into which a Local Area may be divided” and “each zone”, substitute “for such zones which are declared as development areas under section 13” and “each such zone”, respectively.
- Section 11. – For “after the Master Plan and”, substitute “after the Master Plan or”.

Insertion of new section -

Permitted land use and levy of land use charges.

After section 11, insert –

“11A. (1) Upon coming into operation of the Master Plan or the Zonal Development Plan, the land use permitted in the area covered thereunder shall only be as provided in terms

of such Master Plan or Zonal Development Plan:

Provided that the provisions of any law for the time being in force in the Union territory of Ladakh requiring any permission to change the usage of any land shall not be applicable to any area so covered.

(2) The Administration of the Union territory of Ladakh may, by notification in the Official Gazette, notify a scheme for levy of charges for use of land as permitted in the Master Plan or the Zonal Development Plan, the proceeds of which shall form part of the fund of the Authority and may be used to meet the expenses incurred for acquisition of land required in terms of section 50.”.

For section 13, substitute —

Declaration of development areas and permission for development, etc.

“13 (1) After a notice approving the date of operation of the plan is published under section 11, the Authority may, with prior permission of the Ladakh Administration and by notification in the Official Gazette, declare any zone or part thereof as a development area for the purposes of this Act.

(2) Notwithstanding anything to the contrary in any law for the time being in force, consequent upon such notification, no person, including a Department of the Union territory of Ladakh, shall undertake or carry out development of any land or building in the zone or part thereof, as the case may be, unless permission for such development has been obtained in writing from the Authority in accordance with the provisions of this Act:

Provided that the development of any land commenced by a Department of the Administration of Union territory of Ladakh or any local authority before the 31st day of October, 2019 may be completed by that Department or local authority.

(3) No person or entity, whether private or public, including a Department of the Administration of the Union territory of Ladakh or any authority, shall undertake the implementation of any street or layout plan, in any form whatsoever, in any local area outside municipal limits, without prior written permission of the Authority:

Provided that for the purposes of such permission, the Authority shall follow the procedure laid down in the Jammu and Kashmir Municipal Act, 2000 (XX of 2000):

Provided further that the restriction under this sub-section shall not apply to any development undertaken as part of a town planning scheme implemented under the provisions of the Jammu and Kashmir Town Planning Act, 1963 (XX of 1963)”.

Section 15. —

For “a plan in a zone”, substitute “Master Plan or a Zonal Development Plan in a zone”.

Section 16. —

In sub-section (1), for “Land Acquisition Act, Samvat 1990”, substitute “Right to Fair Compensation and

- Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”.
 Section 21. – In sub-section (4), omit “and Government shall cause a copy of the same to be laid before both Houses of the Legislature”.
- Section 22. – In subsection (2), for “Provident Funds Act, Svt. 1998”, substitute “The Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952)”.
- Section 24. – (i) in sub-section (1), for “Rs. 5,000/-” and “Rs. 200/-”, substitute “Rs. 50,000/-” and “Rs. 2,000/-”, respectively;
 (ii) in sub-section (2), for “Rs. Three thousand rupees” and one hundred and fifty rupees“, substitute “Rs. 30,000/-” and “Rs. 1500/-”, respectively;
 (iii) in sub-section (3), for “one thousand rupees”, substitute “ten thousand rupees”.
- Section 26. – In sub-section (4), for “two hundred rupees”, substitute “two thousand rupees”.
- Section 31. – Omit “on terms and conditions agreed upon between the Authority and that local authority or the department, as the case may be”.
- Section 34. – (i) in sub-section (2), for “Code of Civil Procedure, Svt. 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”; and
 (ii) in sub-section (6), for “Arbitration Act, Svt. 2002”, substitute “Arbitration and Conciliation Act, 1996 (26 of 1996).
- Section 43. – For “Ranbir Penal Code”, substitute “Indian Penal Code (45 of 1860)”.
- Section 45. – For “section 32 of the Code of Criminal Procedure, 1989”, substitute “section 29 of the Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 49. – In clause (c), for “Jammu and Kashmir State Canal and Drainage Act, Svt. 1963”, substitute “Jammu and Kashmir Water Resources (Regulation and Management) Act, 2010”.

**13. THE EGRESS AND INTERNAL MOVEMENT (CONTROL) ORDINANCE), 2005
 (Ord. V of Samvat 2005)**

Throughout the Ordinance, unless otherwise provided, for ‘Government’, ‘State’ and ‘Government Gazette, substitute ‘Administration of Union territory of Ladakh’, ‘Union territory of Ladakh’ and ‘Official Gazette’, respectively.

- Section 3-C.– For “Code of Criminal Procedure, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 5. – In sub-section (2), for “section 61 of the Code of Criminal Procedure, 1989” substitute “section 57 of the Code of Criminal Procedure, 1973 (2

- of 1974)".
- Section 8. – In sub-section (1), for "Code of Criminal Procedure, 1989" and "section 30" substitute "Code of Criminal Procedure, 1973 (2 of 1974)" and "section 29", respectively.
- Section 9. – In sub-section (2), for "Code of Criminal Procedure, 1989" substitute "Code of Criminal Procedure, 1973 (2 of 1974)".
- Section 10. – For "Code of Criminal Procedure, 1989" occurring at two places substitute "Code of Criminal Procedure, 1973 (2 of 1974)".
- Section 12. – In sub-section (2), for "section 439 of the Code of Criminal Procedure, 1989 and "section 439 refers" substitute "section 401 of the Code of Criminal Procedure, 1973 and "section 401 refers" (2 of 1974)".
- Section 15. – For "Evidence Act, 1977" substitute "Indian Evidence Act, 1872 (1 of 1872)".
- Section 16. – In sub-section (4), for "Code of Criminal Procedure, 1989" substitute "Code of Criminal Procedure, 1973 (2 of 1974)".
- Section 17. – For "Code of Criminal Procedure, 1989" occurring at both the places substitute "Code of Criminal Procedure, 1973 (2 of 1974)".
- Section 18. – In sub-section (1), for "Code of Criminal Procedure, 1989" substitute "Code of Criminal Procedure, 1973 (2 of 1974)".
- Section 19. – In sub-section (1), for "Code of Criminal Procedure, 1989" substitute "Code of Criminal Procedure, 1973 (2 of 1974)".

**14. THE JAMMU AND KASHMIR EXCISE ACT, SAMVAT 1958 (1901 A.D.)
(State Council Resolution No. 9 of 1901)**

Throughout the Act, unless otherwise provided, for "Government" substitute "Administration of Union territory of Ladakh".

- Preamble. – For "Jammu and Kashmir State" occurring at both the places, substitute "Union territory of Ladakh".
- Section 1. – in sub-section (2), for "territories of the State", substitute "Union territory of Ladakh".
- Section 3. – In section 3, –
 (i) in clause (3), for "Government Gazette", substitute, "Official Gazette" ;
 (ii) in clauses (11), (12) and (13), for "State territory", substitute "Union territory of Ladakh" ; and
 (iii) in clause (18), for "State Government" and "Government Gazette", substitute "Administration of Union territory of Ladakh" and "Official Gazette".
- Section 3A. – For "Government Gazette", substitute "Official Gazette".
- Section 4. – In sub-section (2), for "Government Gazette", substitute "Official Gazette".
- Section 5. – For "Jammu and Kashmir State", substitute "Union territory of Ladakh".
- Section 6. – For "State", substitute "Union territory of Ladakh".
- Section 7. – For "Government Gazette", substitute "Official Gazette".
- Section 8. – For "State", substitute "Union territory of Ladakh"

- Section 11. – In the second proviso, for the “territories of the State”, substitute “Union territory of Ladakh”.
- Section 11A. – In sub-section (2), for “State Government”, substitute “Administration of Union territory of Ladakh”.
- Section 12A. – In clause (i) of the proviso, —
 (a) for “Jammu and Kashmir”, substitute “in the Union territory of Ladakh” ; and
 (b) for “at Jammu or Srinagar”, substitute “in the Union territory of Ladakh”.
- Section 14A. – For “State”, substitute “Union territory of Ladakh”.
- Section 16. – For “in the territories of the State or imported into or exported from the State”, substitute “in the Union territory of Ladakh or imported into or exported from the Union territory”.
- Section 16A. – For “State” and “Government Gazette”, substitute “Administration of Union territory of Ladakh” and “Official Gazette”, respectively.
- Section 17 and 24. For “State”, wherever occurring, substitute “Union territory of Ladakh”.
- Section 32. – (i) For “Code of Criminal Procedure, 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974)”; and
 (ii) omit the proviso.
- Section 34. – For “State”, occurring at both the places, substitute “Union territory of Ladakh”.
- Section 38. – For “Code of Criminal Procedure, 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974).
- Section 39. – For “Chapter XXX of the Code of Criminal Procedure, 1989”, substitute “Chapter XXXIII of the Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 56B. – In sub-section (2), for “Schedule II of the Code of Criminal Procedure, 1989”, substitute “Schedule I of the Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 61. – (i) in sub-section (1), for the “Ranbir Penal Code”, substitute “Indian Penal Code (45 of 1860)”; and
 (ii) in sub-section (2), for “Code of Criminal Procedure, 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974).
- Section 62. – For “Jammu and Kashmir Government Gazette”, substitute “Official Gazette”.
- Section 64. – For “Jammu and Kashmir Government”, substitute “Administration of Union territory of Ladakh”.

**15. THE JAMMU AND KASHMIR EXTRACTION OF RESIN ACT, 1988
 (IX of 1988)**

Repeal as a whole.

**16. THE JAMMU AND KASHMIR FERRY BOATS CONTROL ACT, 1971
 (XVIII of 1971)**

Repeal as a whole.

17. THE JAMMU AND KASHMIR FISHERIES ACT, 2018**(XVI of 2018)**

Throughout the Act, unless otherwise provided, for ‘Government’, ‘Jammu and Kashmir’ and ‘Government Gazette, substitute ‘Administration of Union territory of Ladakh’, ‘Union territory of Ladakh’ and ‘Official Gazette’, respectively.

- Preamble.— For “in the State” substitute “in the Union territory of Ladakh”.
- Section 2. – (i) After clause (a), insert –
‘(aa) “Administration” means the Administration of Union territory of Ladakh’ ; and
(ii) omit clause (g).
- Section 12. – In sub-section (3), for “Limitation Act, Svt. 1995” substitute “Limitation Act, 1963 (36 of 1963)”.
- Section 17. – For “Code of Criminal Procedure, Svt. 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 18. – (i) In sub-section (1), for “Code of Criminal Procedure, Samvat, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)” ; and
(ii) in sub-section (3), for “section 403 of the Code of Criminal Procedure, Samvat, 1989” substitute “section 300 of the Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 19. – For the “State Government” substitute “Administration”.
- Section 21. – For “Ranbir Penal Code, Svt. 1989” substitute “Indian Penal Code (45 of 1860)”.
- Section 22. – Omit sub-section (2).
- Section 27. – In sub-section (2), for “State territories” occurring at both the places substitute “Union territory of Ladakh”.
- Section 28. – For “Code of Criminal Procedure” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.

18. THE JAMMU AND KASHMIR STATE FOREST CORPORATION ACT, 1978.**(XII of 1978)**

Repeal as a whole.

19. THE JAMMU AND KASHMIR GOLF DEVELOPMENT AND MANAGEMENT AUTHORITY ACT, 2013
(VII of 2013)

Repeal as a whole.

**20. THE JAMMU AND KASHMIR GOVERNMENT GAZETTE ACT, SVT. 1945 (1888 A.D.)
(XII of Svt. 1945)**

Throughout the Act, unless otherwise provided, for ‘Government’, ‘State’, ‘Jammu and Kashmir’ and ‘Government Gazette, substitute ‘Administration of Union territory of Ladakh’, Union territory of Ladakh’, ‘Union territory of Ladakh’ and ‘Official Gazette’, respectively.

Section 10. – Insert, –

“Explanation. — Publication in Official Gazette shall mean online publication on the official website of the Administration of Union territory of Ladakh.”.

**21. THE JAMMU AND KASHMIR HANDICRAFTS (QUALITY CONTROL) ACT, 1978
(IV of 1978)**

Repeal as a whole.

**22. THE JAMMU AND KASHMIR HIGHWAYS ACT, 2007
(XXVII of Samvat 2007)**

Throughout the Act, for “Government roads”, “Government road” and “Jammu and Kashmir State”, substitute “Union territory of Ladakh roads”, ‘Union territory of Ladakh road’ and ‘Union territory of Ladakh”, respectively.

Throughout the Act, other than in the preamble, for “Government”, substitute “Administration of Union territory of Ladakh”.

**23. THE JAMMU AND KASHMIR HOUSING BOARD ACT, 1976
(VII of 1976)**

Repeal as a whole.

**24. THE JAMMU AND KASHMIR INDUSTRIAL ESTABLISHMENTS (NATIONAL AND
FESTIVAL) HOLIDAYS ACT, 1974
(XIII of 1974)**

Throughout the Act, for “Government Gazette”, substitute “Official Gazette”.

Throughout the Act, other than in clause (c) of sub-section (1) of section 10, for “Government”, substitute “Administration of Union territory of Ladakh”.

Preamble 1. – For “in the State”, substitute “in the Union territory of Ladakh”.

Section 1. – In sub-section (2), for “Jammu and Kashmir State”, substitute “Union territory of Ladakh”.

Section 2. – In clause (a), for “State”, substitute “Union territory of Ladakh”.

Section 3. – Omit sub-section (2).

Section 6. – In sub-section (2), for “Ranbir Penal Code, 1989”, substitute “Indian Penal Code (45 of 1860)”.

Section 8. – For “twenty-five rupees” and “two hundred and fifty rupees”, substitute “two thousand and five hundred rupees” and “twenty-five thousand

rupees”, respectively.

Section 9. – For “five hundred rupees”, substitute “five thousand rupees”.

**25. THE JAMMU AND KASHMIR KHADI AND VILLAGE INDUSTRIES BOARD ACT, 1965
(XVI of 1965)**

Repeal as a whole.

**26. THE JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY SPEAKER'S EMOLUMENTS
ACT, 1956
(IV of 1956)**

Repeal as a whole.

**27. THE JAMMU AND KASHMIR LEGISLATIVE COUNCIL CHAIRMAN'S (EMOLUMENTS)
ACT, 1962
(XXVIII of 1962)**

Repeal as a whole.

**28. THE JAMMU AND KASHMIR STATE LEGISLATURE MEMBERS' PENSION ACT, 1984
(II of 1984)**

Repeal as a whole.

**29. THE JAMMU AND KASHMIR LEGISLATURE (PREVENTION OF DISQUALIFICATION)
ACT, 1962
(XVI of 1962)**

Repeal as a whole.

**30. THE JAMMU AND KASHMIR STATE LEGISLATURE PROCEEDINGS (PROTECTION OF
PUBLICATION) ACT, 1960
(XXXVII of 1960)**

Repeal as a whole.

**31. THE JAMMU AND KASHMIR METROPOLITAN REGION DEVELOPMENT
AUTHORITIES ACT, 2018.**

Repeal as a whole.

**32. THE JAMMU AND KASHMIR MINISTERS AND MINISTERS OF STATE SALARIES ACT,
1956
(VI of 1956)**

Repeal as a whole.

**33. THE JAMMU AND KASHMIR MINISTERS AND PRESIDING OFFICERS MEDICAL
FACILITIES ACT, 1975**

(XXII of 1975)

Repeal as a whole.

**34. THE JAMMU AND KASHMIR MONEY LENDERS AND ACCREDITED LOAN PROVIDERS
ACT, 2010
(XXIII of 2010)**

Throughout the Act, unless otherwise provided, for the words “Government”, substitute “Administration”.

Preamble. – For “State of Jammu and Kashmir”, occurring at both the places, substitute “Union territory of Ladakh”.

Section 1. – (i) in sub-section (2), for “State of Jammu and Kashmir”, substitute “Union territory of Ladakh”; and
(ii) in sub-section (3), for “Government Gazette”, substitute “Official Gazette”.

Section 2. – (i) In clause (4), for “Jammu and Kashmir Co-operative Societies Registration Act, 1989”, substitute “Societies Registration Act, 1860 (21 of 1860)”;

(ii) for clause (5) substitute-

‘(5) “Administration” means Administration of Union territory of Ladakh.’;

(iii) in clause (8),-

(a) in sub-clause (i), omit “or the State Legislature”;

(b) in sub-clause (n), for “Jammu and Kashmir Societies Registration Act, Samvat 1998”, substitute “Societies Registration Act, 1860 (21 of 1860)”;

(iv) in clause (9), for “Jammu and Kashmir Legal Services Authority Act, 1997”, substitute “Legal Services Authorities Act, 1987 (39 of 1987)”.

Section 3. – For “Government Gazette”, substitute “Official Gazette”.

Section 8. – in sub-section (2), for “Code of Criminal Procedure, 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974).

Section 10. – (i) in sub-section (5), for “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.

(ii) in sub-section (6), for “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.

Section 26. – For “State Ranbir Penal Code”, substitute “Indian Penal Code (45 of 1860)”.

Section 28. – (i) In sub-section (1), for “Government Gazette”, substitute “Official Gazette”; and

(ii) omit sub-section (3)

Section 29. – For “Government Gazette”, substitute “Official Gazette”.

Section 30. – Omit

**35. THE JAMMU AND KASHMIR MOTOR SPIRIT AND DIESEL OIL (TAXATION OF SALES)
ACT, 2005**

(V of 2005)

Throughout the Act, unless otherwise provided, for “Government” substitute “Administration of Union territory of Ladakh”.

- Section 2. – In clause (hh), for “Appellate Tribunal constituted under section 21 A of the Jammu and Kashmir General Sales Tax Act, 1962”, substitute “Tribunal or authority designated by the Administration of Union territory of Ladakh”.
- Section 3. – (i) For “Government Gazette”, substitute “Official Gazette”; and
(ii) omit the second proviso.
- Section 3A. – In sub-section (1), for “State” and “Government Gazette”, substitute “Administration of Union territory of Ladakh” and “Official Gazette” respectively.
- Section 7. – In the proviso to sub-section (5), for “into the Government Treasury”, substitute “to such authority as may be prescribed by the Administration of Union territory of Ladakh”.
- Section 10. – In sub-section (1), for “Government Gazette”, substitute, “Official Gazette”.
- Section 11. – For “Code of Criminal Procedure, 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974).
- Section 12. – For “Code of Criminal Procedure, 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974).
- Section 13. – For “section 61 of the Code of Criminal Procedure, 1989”, substitute “section 57 of the Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 15. – For “Code of Criminal Procedure, 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974).
- Section 20. – For “Minister-in-charge”, substitute “Advisor to the Lieutenant Governor”.
- Section 22B. – Omit sub-section (3).
- Section 22C. – For “Limitation Act, Samvat, 1995”, substitute “Limitation Act, 1963 (36 of 1963)”.
- Section 22D. – For “the same powers as are exercisable by it under the Jammu and Kashmir General Sales Tax Act, 1962”, substitute “all the powers of a civil court for the purposes of –
(a) proof of facts by affidavit ;
(b) summoning and enforcing and attendance of any person and examining him on oath or affirmation ;
(c) compelling the production of documents ; and
(d) issuing commissions for the examination of witnesses.”.
- Section 22E. – Omit.

36. THE JAMMU AND KASHMIR MOTOR VEHICLES TAXATION ACT, 1957 (XXVI of 1957)

Throughout the Act, unless otherwise provided, for “Government” substitute “Administration of Union territory of Ladakh”.

- Preamble. – For “Jammu and Kashmir State”, substitute “Union territory of Ladakh”.
- Section 1. – (i) in sub-section (2), for “State of Jammu and Kashmir”, substitute “Union territories of Ladakh”; and
(ii) in sub-section (3), for “Government Gazette”, substitute “Official Gazette”.
- Section 2. – In clauses (i), (vi), (vii) and (viii), for “Jammu and Kashmir Motor Vehicle Act, Samvat, 1998”, substitute “Motor Vehicles Act, 1988 (59 of 1988).
- Section 3. – (i) in sub-section (1), for “Government Gazette” and “State of Jammu and Kashmir”, substitute “Official Gazette” and “Union territory of Ladakh”; and
(ii) in sub-section (2), omit the proviso.
- Section 4. – (i) in sub-section (1), –
(a) in clause (c), omit “(not exceeding the maximum specified in the Schedule II)”;
(b) in clause (c), for “Government Gazette”, substitute “Official Gazette”;
(c) in clause (d), for “State of Jammu and Kashmir”, substitute, “Union territory of Ladakh”; and
(ii) in sub-section (3), –
(a) in sub-clause (i) of clause (a), for “State of Jammu and Kashmir”, substitute “Union territory of Ladakh”;
(b) in sub-clause (ii) of clause (a), for “Jammu and Kashmir Motor Vehicle Act, Samvat, 1998”, substitute “Motor Vehicles Act, 1988 (59 of 1988); and
(c) in clause (b), for “State of Jammu and Kashmir”, substitute “Union territory of Ladakh
- Section 9. – For “Government Gazette”, substitute “Official Gazette”.
- Schedule - Omit Schedule I and Schedule II to the Act.

**37. THE JAMMU AND KASHMIR MUNICIPAL CORPORATION ACT, 2000
(XXI of 2000)**

Repeal as a whole.

**38. THE JAMMU AND KASHMIR MUSLIM MARRIAGES REGISTRATION ACT, 1981
(XXII of 1981)**

- Section 1. – (i) in sub-section (2), for “State”, substitute “Union territory of Ladakh”
; and
(ii) in sub-section (3), for “Government Gazette” and “State”, substitute “Official Gazette” and “Union territory of Ladakh”.
- Section 2. – In clauses (b) and (c), for “Registration Act, Samvat 1977”, substitute “Registration Act, 1908 (16 of 1908)”.

- Section 6. – For “Evidence Act, 1977”, substitute “Indian Evidence Act, 1872 (1 of 1872)”.

**39. THE JAMMU AND KASHMIR NATURAL CALAMITIES DESTROYED AREAS
IMPROVEMENT ACT, 2011
(XXXVIII of 2011)**

Throughout the Act, unless otherwise provided, for “Government”, “Government Gazette” and “State”, substitute “Administration of Union territory of Ladakh”, “Official Gazette” and “Union territory” respectively.

- Section 1. – In sub-section (1), for “Jammu and Kashmir”, substitute “Union territory”.
- Section 2. – In clause (a), for “Jammu and Kashmir Municipal Act, 1988”, substitute “Jammu and Kashmir Municipal Act, 2000”.
- Section 4. – In clause (o), for “Jammu and Kashmir Municipal Act, 1998, the Town Area Act, 1997 and the Jammu and Kashmir Village Panchayat Act, 2008”, substitute “Jammu and Kashmir Municipal Act, 2000 and the Jammu and Kashmir Panchayati Raj Act, 1989”.
- Section 7. – For “Minister-in Charge Rehabilitation Department”, occurring in two places and “Minister”, substitute “Administration of Union territory of Ladakh”.
- Section 9. – (i) In the marginal heading, for “sections 4 and 6 of the Land Acquisition Act, 1990”, substitute “sections 11 and 19 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”; and
(ii) for “Land Acquisition Act, Svt. 1990” and “sections 4 and 6”, substitute “Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)” and “sections 11 and 19”, respectively.
- Section 10. – (i) In the marginal heading, for “Sections 15, 23 and 24 of the Land Acquisition Act, 1990”, substitute “Sections 15, 23 and 24 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”; and
(ii) for “sections 15, 23 and 24 of the Land Acquisition Act, Svt. 1990”, substitute “sections 26, 27 and 28 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”.
- Section 12. – Omit.

**40. THE JAMMU AND KASHMIR NON-BIODEGRADABLE MATERIAL (MANAGEMENT,
HANDLING AND DISPOSAL) ACT, SVT. 2007
(XII of 2007)**

Throughout the Act, unless otherwise provided, for ‘Government’, and ‘Government Gazette’, substitute ‘Administration of Union territory of Ladakh’, and ‘Official Gazette’, respectively.

Throughout the Act, for ‘Jammu and Kashmir’ substitute ‘Union territory of Ladakh’ except in the preamble.

Throughout the Act, including Preamble unless otherwise provided, for ‘State’ substitute ‘Union territory of Ladakh’.

- Section 1.** – In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Ladakh”
- Section 2.** – (i) After clause (a), insert –
 ‘(ab) “Administration” means Administration of Union territory of Ladakh.’ ; and
 (ii) omit clause (c).
- Section 6.** – In sub-section (4), for “Code of Criminal Procedure, Samvat 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)” and for “section 98” substitute section 94”.
- Section 9.** – In sub-section (1), for “clause (iv)”, substitute “(iv) damage the lakes, rivers or wetland or other water channel, water-course or water source as defined in the Jammu and Kashmir Water Resources (Regulation and Management) Act, 2010”.
- Section 10.** – (i) In sub-section (1), for “Rs. 5000” substitute “Rs. 50,000”; and
 (ii) in sub-section (2), for “may extend up to Rs.10,000” substitute “not less than Rs.10,000”.
- Section 12.** – For “sections 260 to 265 of the Code of Criminal Procedure, Samvat 1989”, substitute “sections 260, 262 to 265 of the Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 13.** – In sub-section (3), for “remitted in the Government Treasury” substitute “remitted in a manner as prescribed by the Administration”

41. THE JAMMU AND KASHMIR PARAMEDICAL COUNCIL ACT, 2014 (VII of 2014)

Throughout the Act, unless otherwise provided, for ‘Government’, and ‘Government Gazette’, substitute ‘Administration of Union territory of Ladakh’, and ‘Official Gazette’, respectively.

Throughout the Act, unless otherwise provided, for “State Register” or “state register”, substitute “Medical Register”.

Throughout the Act, for ‘Jammu and Kashmir’ substitute ‘Union territory of Ladakh’, unless otherwise provided, except in the preamble and section 55.

Throughout the Act, for “State” substitute ‘Union territory of Ladakh’, unless otherwise provided, except in the preamble.

- Section 2.**– (i) After clause (a), insert —
 ‘(aa) “Administration” means the Administration of Union territory of Ladakh’ ;
 (ii) omit clause (c);

- (iii) in clause (d), –
- (a) in sub-clause (ii), for “clause (d) of section 2 of the Jammu and Kashmir Homeopathic Practitioners Act, 2003 (Act No. VIII of 2003)” substitute “clause (d) of section 2 of the Homeopathic Central Council Act, 1973 (59 of 1973)” ;
- (b) in sub-clause (iii), for “clauses (2) and (3) respectively of section 2 of the Jammu and Kashmir Ayurvedic and Unani Practitioners Act, 1959 (Act No. XXVI of 1959)” substitute “provisions of the Indian Medicine Central Council Act, 1970 (48 of 1970)” ; and
- (iv) omit clause (q).
- Section 4. – For sub-section (1), substitute —
- “(1) The Council shall consist of members appointed by the Administration”.
- Section 5. – Omit clause (a).
- Section 31. – In sub-section (3), for “Code of Criminal Procedure, Samvat 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 32. – In sub-section (4), for “State Ranbir Penal Code” substitute “Indian Penal Code (45 of 1860)”.
- Section 38. – In sub-section (3), for “Evidence Act, Samvat 1977” substitute “Indian Evidence Act, 1872 (1 of 1872)”.
- Section 42. – For “Evidence Act, Samvat 1977”, “the Public Services (Inquiries) Act, Svt. 1977” occurring at both the places and “Code of Civil Procedure, Samvat 1977” substitute respectively “Indian Evidence Act, 1872 (1 of 1872)”, “the Public Servants (Inquiries) Act, 1850 (37 of 1850)” and “Code of Civil Procedure, 1908 (5 of 1908)”.

42. THE JAMMU AND KASHMIR PASSENGERS TAXATION ACT, 1963 (XII of 1963)

Throughout the Act, unless otherwise provided, for “Government” substitute “Administration of Union territory of Ladakh”.

- Section 1. – in sub-section (2), for “State of Jammu and Kashmir”, substitute “Union territory of Ladakh”.
- Section 2. – In clause (hhh), for “Appellate Tribunal constituted under section 21A of the Jammu and Kashmir General Sales Tax Act, 1962”, substitute “Tribunal or authority designated by the Administration of Union territory of Ladakh”.
- Section 3. – in sub-section (1), omit “subject to a maximum of two Naya Paise in any one case, the amount of tax being calculated to the nearest Naya Paisa”.
- Section 9. – in sub-section (1), for “of Twenty-five rupees”, substitute “as may be prescribed by the Administration of Union territory of Ladakh”.
- Section 12. – in sub-section (5), for “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”
- Section 16. – (i) in sub-section (1), for the words “Deputy Sales Tax Commissioner (Adm.)”, occurring at both the places, substitute

	“Deputy Commissioner”; and (ii) omit sub-section (2).
Section 16B. –	For “Limitation Act Samvat 1995”, substitute “Limitation Act, 1963 (36 of 1963)”.
Section 16C. –	For “the same powers as are exercisable by it under the Jammu and Kashmir General Sales Tax Act, 1962”, substitute “all the powers of a civil court for the purposes of – (a) proof of facts by affidavit ; (b) summoning and enforcing and attendance of any person and examining him on oath or affirmation ; (c) compelling the production of documents ; and (d) issuing commissions for the examination of witnesses.”.
Section 16D. –	Omit.
Section 17. –	Omit sub-section (3).
Section 19A. –	In the third proviso, for “Government Gazette”, substitute “Official Gazette”.

**43. THE PLYBOARD INDUSTRIES (ACQUISITION OF SHARES AND OF THE INDUSTRIAL UNDERTAKINGS) ACT, 1987
(VI of 1987)**

Repeal as a whole.

**44. THE JAMMU AND KASHMIR PRESERVATION OF SPECIFIED TREES ACT, 1969
(V of 1969)**

Repeal as a whole.

**45. PREVENTION OF RIBBON DEVELOPMENT ACT, 2007
(XXVI of 2007)**

Throughout the Act, unless otherwise provided, for the words “Government”, “State” and “Jammu and Kashmir State” other than in the words “Central Government”, substitute “Administration of Union territory of Ladakh”, and “Union territory of Ladakh” respectively.

Section 3. –	For “Government Gazette”, substitute “Official Gazette”.
Section 6. –	For “Minister-in-charge Public Works Department”, substitute “Ladakh Administration”.

**46. THE JAMMU AND KASHMIR PROHIBITION ON MANUFACTURE OF SPECIFIED COPPER UTENSILS (BY MACHINE) ACT, 2006
(XIII of 2006)**

Repeal as a whole.

**47. THE JAMMU AND KASHMIR STATE PROHIBITION OF SMOKING (CINEMA AND THEATRE HALLS) ACT, SVT. 2009
(XVIII of 2009)**

Repeal as a whole.

48. THE JAMMU AND KASHMIR PROHIBITION OF SMOKING AND NON-SMOKERS HEALTH PROTECTION IN PUBLIC SERVICE VEHICLES ACT, 1997 (XX of 1997)

Repeal as a whole.

**49. THE JAMMU AND KASHMIR PROPERTY RIGHTS TO SLUM DWELLERS ACT,
(XI of 2012)**

Repeal as a whole.

**50. THE JAMMU AND KASHMIR PROPERTY TAX BOARD ACT, 2013
(XI of 2013)**

Repeal as a whole.

**51. THE JAMMU AND KASHMIR PUBLIC PREMISES (EVICTION OF UN-AUTHORISED OCCUPANTS) ACT, 1988
(XVII of 1988)**

Throughout the Act, unless otherwise provided, for ‘Government’, and ‘Government Gazette’, substitute ‘Administration of Union territory of Ladakh’, and ‘Official Gazette’, respectively.

Throughout the Act, for ‘Jammu and Kashmir’ substitute ‘Union territory of Ladakh’ except in the preamble and section 34.

Throughout the Act, unless otherwise provided, for ‘State’ substitute ‘Union territory of Ladakh’ except in the preamble.

- Section 1.** – In sub-section (2), for “State of Jammu and Kashmir” substitute “Union territory of Ladakh”.
- Section 2.** – In clause (d), –
- (i) in sub-clause 2(i), for ‘Companies Act, 1956’ substitute ‘Companies Act, 2013’ ;
- (ii) in sub-clause 2(i), for ‘Companies Act, 1956’ substitute ‘Companies Act, 2013’ and for “a State or Central” substitute ‘any’; and
- (iii) in sub-clause 2(ii), omit ‘State’.
- Section 11.** – For “Code of Civil Procedure Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 14.** – In sub-section (1), for ‘five thousand rupees’ substitute ‘fifty thousand rupees’.

- Section 15.** – For ‘Code of Criminal Procedure Samvat 1989’, substitute ‘Code of Criminal Procedure, 1973 (20 of 1974)’.
- Section 23.** – Omit sub-section (3).

52. THE JAMMU AND KASHMIR PUBLIC SAFETY ACT, 1978

(VI of 1978)

Throughout the Act, unless otherwise provided, for ‘Government’, and ‘Government Gazette’, substitute ‘Administration of Union territory of Ladakh’ and ‘Official Gazette’, respectively.

Throughout the Act including Preamble, unless otherwise provided, for ‘State’, substitute ‘Union territory of Ladakh’.

- Preamble. – For “State”, substitute “Union territory of Ladakh”.
- Section 1. – (i) In sub-section (1), for “Jammu and Kashmir” substitute “Union territory of Ladakh” ; and
(ii) in sub-section (2), for “Jammu and Kashmir State”, substitute “Union territory of Ladakh”.
- Section 2. – In sub-section (1), for “Code of Criminal Procedure, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 8. – In sub-section (3),–
(a) in clause (b), in sub-clause (iii), for “Ranbir Penal Code” substitute “Indian Penal Code (45 of 1860)” ; and
(b) in clause (c), for “Forest Act, Samvat 1987” substitute “the Indian Forest Act, 1927 (16 of 1927)”.
- Section 10. – Omit the proviso.
- Section 12. – In clause (a), for “sections 87, 88 and 89” substitute “sections 82, 83, 84 and 85”
- Section 14. – (i) In sub-section (1), insert –
“Provided that the Administration of Union territory of Ladakh may, if it deems fit, by order, designate any such authority in the adjoining State or Union territory as the Advisory Board for the purposes under this Act.” ;
(ii) in sub-section (3), –
(a) omit “in consultation with the Chief Justice of the High Court” ; and
(b) insert — “Provided that no sitting Judge of the High Court or sitting District and Sessions Judge shall be appointed as Chairman or member of the Board except in consultation with the Chief justice of the High Court.”.
- Section 19. – For “General Clauses Act, Samvat 1977” substitute “General Clauses Act, 1897 (10 of 1897)”.

53. THE JAMMU AND KASHMIR REGISTRATION OF CONTRACTORS ACT, 1956

(XVI of 1956)

Throughout the Act, unless otherwise provided, for ‘Government’, and ‘Government Gazette’, substitute ‘Administration of Union territory of Ladakh’, and ‘Official Gazette’, respectively.

Throughout the Act, for ‘Jammu and Kashmir’ and ‘State’ substitute ‘Union territory of Ladakh’ except in the preamble.

- Section 5.** – (i) in sub-section (2), for “Minister-in-Charge of the Department” substitute “Administration of Union territory of Ladakh” ; and
(ii) omit sub-section (3).
- Section 7.** – For “Rs. 30” substitute “Rs. 100”.
- Section 8.** – For “Stamp Act, 1977” substitute “Indian Stamp Act, 1899 (2 of 1899)”.

**54. THE JAMMU AND KASHMIR, REGISTRATION OF TOURIST TRADE ACT, 1978
(IX of 1978)**

Throughout the Act, for “Government Gazette”, substitute “Official Gazette”.

Throughout the Act, other than in section 24, for “Government”, substitute “Administration of Union territory of Ladakh”.

Throughout the Act, for “Ranbir Penal Code, Samvat 1989”, substitute “Indian Penal Code (45 of 1860)”.

- Section 1. – In sub-section (2), for “State of Jammu and Kashmir”, substitute “Union territory of Ladakh”.
- Section 2. – (i) in clause (g), in Explanation 1, for “Jammu and Kashmir”, substitute “Union territory of Ladakh”.
(ii) in clause (o), for “State” occurring at both the places, substitute “Union territory of Ladakh”.
- Section 27. – For “Minister-in-Charge”, occurring at both the places, substitute “Administration of Union territory of Ladakh”.
- Section 28. – In sub-section (2), for “Code of Criminal Procedure Svt 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 34. – For “Code of Criminal Procedure Samvat 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 35. – For “Evidence Act Samvat 1977”, substitute “Indian Evidence Act, 1872 (1 of 1872)”.
- Section 37. – For “Code of Civil Procedure Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.

**55. THE JAMMU AND KASHMIR (RESIDENTIAL AND COMMERCIAL TENANCY) ACT, 2012
(V of 2012)**

- (i) In sub-section (2), –
- Section 1. – (a) for “State”, substitute “Union territory of Ladakh”;
(b) in the proviso for “Government” and “Government Gazette”, substitute “Administration of Union territory of Ladakh” and “Official Gazette”, respectively; and
(ii) in sub-section (3), for “Government Gazette”, substitute “Official Gazette”.
- Section 2. – (i) In clause (b), for “Special Tribunal established under the Jammu and Kashmir Special Tribunal Act, 1988”, substitute “tribunal or authority notified by the Ladakh Administration” ;
(ii) for clause (e), substitute-
‘(e) “Administration” means Administration of Union territory of Ladakh.’;

- (iii) in clause (h), omit “a Municipal Corporation or”;
- (iv) in clauses (i) and (k), for “Government”, substitute “Administration”;
- (v) in clause (l), for “Government Hospital”, substitute “Hospital owned or run by Administration” ; and
- (vi) in clause (u), omit “Municipal Corporation,” .
- Section 3. – (i) In clause (a), for “State Government” and “government”, substitute “Union territory of Ladakh” and “Administration”;
- (ii) in clause (e), for “Government”, substitute “Administration”; and
- (iii) in clause (f), for “Jammu and Kashmir Wakfs Act, 2001” and “Trust Act, Samvat 1977”, substitute “Wakf Act, 1995” and “Indian Trust Act, 1882”, respectively.
- Section 14. – In sub-section (4), for “Government”, substitute “Administration”.
- Section 29. – (i) For “Government” and “Government Gazette”, substitute “Administration” and “Official Gazette” ; and
- (ii) in the proviso, omit clause (i).
- Section 30. – (i) For “Transfer of Property Act, Samvat 1977”, substitute “Transfer of Property Act, 1882”;
- (ii) in the proviso,—
- (a) for “Transfer of Property Act, Samvat 1977” occurring at both the places, substitute “Transfer of Property Act, 1882”; and
- (b) for “Contract Act, Samvat 1977”, substitute “Indian Contract Act, 1872”.
- Section 31. – In sub-section (1), for “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.
- Section 32. – (i) in sub-section (1), for “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)” ; and
- (ii) in sub-section (2), for “Ranbir Penal Code” and “Code of Criminal Procedure, Samvat 1989”, substitute “Indian Penal Code (45 of 1860)” and “Code of Criminal Procedure, 1973 (2 of 1974)” respectively.
- (iii) in sub-section (6), for “Code of Criminal Procedure, Samvat 1989”, substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 37. – (i) In the marginal heading, omit “consolidated fund of the State”; and
- (ii) for “consolidated fund of the State”, substitute “such authority as may be prescribed by the Administration”.
- Section 40. – For “Government”, occurring at both the places, substitute “Administration”.
- Section 41. – For “Government”, substitute “Administration”.

**56. SALARIES AND ALLOWANCES OF THE MEMBERS OF JAMMU AND KASHMIR STATE
LEGISLATURE ACT, 1960
(XIX of 1960)**

Repeal as a whole.

**57. SALARIES AND ALLOWANCES OF LEADER OF OPPOSITION IN THE STATE
LEGISLATURE ACT, 1985
(XVI of 1985)**

Repeal as a whole.

58. THE JAMMU AND KASHMIR SELF-RELIANT COOPERATIVES ACT, 1999 (X of 1999)

Throughout the Act, for “Government Gazette” and ”Government” substitute “Official Gazette” and “Administration of Union territory of Ladakh”, respectively.

Throughout the Act, for “Jammu and Kashmir”, substitute “Union territory of Ladakh”.

Section 1. – In sub-section (2), for “State Of Jammu and Kashmir”, substitute “Union territory of Ladakh”.

Section 2. – (i) in clause (23), for “a permanent resident of the State as defined in section 6 of the Constitution of the Jammu and Kashmir”, substitute “any person”;

(ii) in clause (27), for “permanent resident of the State”, substitute “any person”; and

(iii) in clause 30, omit “whose members are permanent residents of the State.”.

Section 3. – In sub-section (1), omit “comprise of permanent residents of the State and”.

Section 16. – (i) In clause (a), –

(a) in sub-clause (i), for “Jammu and Kashmir Contract Act, Samvat 1977”, substitute “Indian Contract Act, 1872 (9 of 1872); and

(b) omit sub-clause (ii);

(ii) in clause (c), for “Jammu and Kashmir Society Registration Act, Samvat 1998”, substitute “Societies Registration Act, 1860 (21 of 1860)”.

Section 59. – For “Jammu and Kashmir Registration Act, Samvat 1977”, substitute “Registration Act, 1908 (16 of 1908)”.

**59. THE JAMMU AND KASHMIR SINGLE WINDOW (INDUSTRIAL INVESTMENT AND
BUSINESS FACILITATION) ACT, 2018.**

(X of 2018)

Throughout the Act, except in sub-sections (14) and (17) of section 2 or as otherwise provided, for “Government”, substitute “Administration of Union territory of Ladakh”.

Throughout the Act, except as otherwise provided, for “Government Gazette” and “Jammu and Kashmir” and “State”, respectively, substitute “Official Gazette”, “Union territory of Ladakh”, “Union territory”.

- Preamble.**— For “State of Jammu and Kashmir” substitute “Union territory of Ladakh”.
- Section 2.**— (i) After clause (1), insert —
“(ab) “Administration” means the Administration of Union territory of Ladakh ;”
(ii) omit clause (16);
(iii) omit clause (23); and
(iv) after clause (25), insert —
“(25a) “Union territory” means the Union territory of Ladakh”.
- Section 3.**— (i) For sub-section (1) substitute —
“(1) The Administration may constitute a District Level Single Window Clearance Committee for each district by notification in the Official Gazette.”;
- Section 4.**— For sub-section (1) substitute —
“(1) The Administration may constitute a Divisional Level Single Window Clearance Committee by notification in the Official Gazette.”.
- Section 5.**— In sub-section (1), for “Chief Secretary”, “Chairman, Pollution Control Board” and “Director, Industries and Commerce, concerned Member” substitute “Advisor” and “Chairman, Pollution Control Committee” and “Director, Industries and Commerce, Member-Secretary”, respectively, and omit “9. Managing Director, J&K, SIDCO Member-Secretary”.
- Section 6.**— For “Kashmir/Jammu” substitute “Union territory of Ladakh”.
- Section 8.**— In sub-section (2), for “State Acts” substitute “State Acts, as adapted for application in Union territory of Ladakh”.
- Section 9.**— For “State Government” substitute “Union territory of Ladakh”.
- Section 26.**— (i) Omit sub-sections (3) ; and
(ii) in sub-section (4), for “so made by the State Legislature” substitute “in the rules”.
- Section 27.**— Omit sub-section (2).

60. THE JAMMU AND KASHMIR STATE ROAD SAFETY COUNCIL ACT, 2018 (V of 2018)

Throughout the Act, for “Government Gazette” and “State Road Safety Council”, substitute “Official Gazette” and “Union territory of Ladakh Road Safety Council”.

Throughout the Act, other than in clause (iii) of sub-section (2) of section 4, for “Government”, substitute “Administration”.

Throughout the Act, for “State”, substitute “Union territory of Ladakh”.

Throughout the Act, other than in section 37, for “Jammu and Kashmir”, substitute “Union territory of Ladakh”.

- Section 2. – In sub-section (2), –
- (a) for clause (i) substitute-
- ‘(i) “Administration” shall mean Administration of the Union territory of Ladakh.’ ; and
- (b) in clause (k), omit “and the Jammu and Kashmir Municipal Corporation Act, 2000 as the case may be”.
- Section 3. – In sub-section (1), for “Chairman, who shall be Incharge Minister of Transport Department, Chief Secretary of the State as Vice-Chairman and such other members”, substitute “such members”.
- Section 4. – In clause (ii) of sub-section (3), for “State Government”, substitute “Administration”.
- Section 10. – In sub-section (1), for “Jammu and Kashmir Road Safety Fund”, substitute “Union territory of Ladakh Road Safety Fund”.
- Section 22. – Omit sub-section (2).
- Section 23. – (i) In sub-section (3), omit “and the Government shall lay the same before the State Legislature”;
- Section 29. – (ii) for “Ranbir Penal Code, Samvat 1989”, substitute “Indian Penal Code (45 of 1860)”.
- Section 34. – Omit sub-section (3).

**61. THE SAPPHIRE ACT, SVT. 1989
(XVI of 1989)**

Repeal as a whole.

**62. THE JAMMU AND KASHMIR STATE SHEEP AND SHEEP PRODUCTS DEVELOPMENT
BOARD ACT, 1979
(IX of 1979)**

Repeal as a whole.

**63. THE JAMMU AND KASHMIR SPECIAL TRIBUNAL ACT, 1988
(XIX of 1988)**

Repeal as a whole.

**64. THE JAMMU AND KASHMIR STATE TOWN PLANNING ACT, 1963
(XX of 1963)**

Throughout the Act, unless otherwise provided, for “Government”, “Government Gazette”, “State”, and “Minister”, substitute “Administration”, “Official Gazette”, “Union territory” and “Advisor to the Lieutenant Governor”, respectively.

- Section 2. – For clause (b), substitute –
'(b) "Administration" means Administration of the Union territory of Ladakh.';
- Section 3. – In clause (o), for "Jammu and Kashmir Municipal Act, Svt. 2008" or the Jammu and Kashmir Town Area Act, Svt. 2011", substitute "Jammu and Kashmir Municipal Act, 2000".
- Section 18. – In sub-section (6), for "Jammu and Kashmir Arbitration Act, Svt. 2002", substitute "Arbitration and Conciliation Act, 1996 (26 of 1996)".
- Section 26. – For "State Land Acquisition Act, Svt. 1990", substitute "Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)".
- Section 27. – (i) In the marginal heading, for "sections 4 and 6 of Land Acquisition Act, 1990", substitute "sections 11 and 19 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)";
(ii) for " sections 4 and 6 of State Land Acquisition Act, Svt. 1990", occurring at both the places, substitute "sections 11 and 19 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)".
- Section 28. – (i) In the marginal heading, for "sections 15, 23 and 24 of the Land Acquisition Act, 1990", substitute "sections 26, 27 and 28 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)"; and
(ii) in sub-section (1), for "sections 15, 23 and 24 of the State Land Acquisition Act, Svt. 1990" substitute "sections 26, 27 and 28 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)".

**65. THE JAMMU AND KASHMIR TREASURE TROVE ACT, SVT. 1954
(Council Resolution No. 37 of 1897)**

Repeal as a whole.

66. THE JAMMU AND KASHMIR URBAN PROPERTY (CEILING) ACT, 1971 (XII of 1971)

Repeal as a whole.

**67. THE JAMMU AND KASHMIR WILLOW (PROHIBITION ON EXPORT AND MOVEMENT)
ACT, 2000
(XVI of 2000)**

Repeal as a whole.

68. THE JAMMU AND KASHMIR SCHOOL EDUCATION ACT, 2002**(XXI of 2002)**

Throughout the Act, except as otherwise provided, for “Government” and “Government Gazette”, substitute “Administration” and “Official Gazette”, respectively.

Throughout the Act, except in preamble or as otherwise provided, for “Jammu and Kashmir” and “State” substitute “Union territory of Ladakh” and “Union territory”, respectively.

Section 1. – In sub-section (2), for “whole of the State of Jammu and Kashmir” substitute “whole of the Union territory of Ladakh”.

Section 2. – (i) After clause (a), insert, –
 ‘(aa) “Administration” means the Administration of the Union territory of Ladakh”;
 (ii) omit clause (c);
 (iii) in clause (e), for “District Education Officer” substitute “Chief Education Officer”;
 (iv) omit clause (h); and
 (v) for clause (o), substitute –
 ‘(o) “Union territory” means the Union territory of Ladakh’.

Sections 6,7,8,9 and 10. – Omit.

Insertion of new section – After section 20, insert. –

Constitution of Fee Fixation and Regulation Committee of Private School. “20A. (1) The Administration shall constitute a Committee to be known as the Committee for Fixation and Regulation of Fee of Private Schools for the purposes of regulating and determining the fee in private schools in the Union territory.

(2) The Committee shall be headed by a Chairperson who has been a Judge of a High Court or an officer of the Administration not below the rank of a Secretary of the Union territory or above.

(3) The members of the Committee shall be such as may be prescribed by the Administration of the Union territory.

(4) The Chairperson may co-opt any other independent person of repute or a representative of a recognised School Association as an expert member, but the total number of members of the Committee shall not exceed five.

Term of office and other conditions of service Chairperson. 20B. The term of office and other conditions of service of the Chairperson of the Committee for Fixation and Regulation of Fee of Private Schools shall be such as may be prescribed by the Administration.

Powers and functions 20C. (1) Subject to the provisions of this Act or any other law for the time

of the Committee.

being in force, the Committee for Fixation and Regulation of Fee of Private Schools shall exercise such powers and perform such functions as may be prescribed by the Administration to ensure that the private schools are not indulging commercialisation of education and undue profiteering.

- (2) The Administration may by notification, delegate any of the powers vested in the Committee for Fixation and Regulation of Fee of Private Schools to the Chairperson of the said Committee, to the extent as may be prescribed.
- (3) Orders passed by the Committee for Fixation and Regulation of Fee of Private Schools shall be deemed to have been duly passed by a public servant and its violation or non-compliance shall amount to disobedience under the provisions of section 188 of Indian Penal Code (45 of 1860).

Determination of fee.

- 20D. (1) The Committee for Fixation and Regulation of Fee of Private Schools shall while determining the fee to be charged by the private schools established after August, 2014 take into account inter alia the location, available infrastructure, expenditure on administration, aid, assistances and support in any form received by the private school from the Administration or any other person or agency or any other factors as may be prescribed.
- (2) The Committee for Fixation and Regulation of Fee of Private Schools may from time to time issue notification for fixing maximum ceiling of the fee to be charged under various categories.

Fee to be charged by private Schools.

20E. (1) The private schools shall not charge any fee from the students or guardians, except tuition fee, annual fee, transport fee and voluntary special purpose fee such as the picnic, tour and excursions, etc. completely voluntary in nature or any other fee as may be approved by the Committee for Fixation and Regulation of Fee of Private Schools after following the procedure prescribed:

Provided that private schools shall not charge in any manner, any other fee including admission fee or any amount, by whatever name called than the fee mentioned above.

Power to call for records.

20F. The Committee for Fixation and Regulation of Fee of Private Schools may at any stage call the record of any school for scrutiny if it comes to the conclusion that the private school has violated or is not adhering to its directions.

Staff of Committee.

- 20G.(1) The Committee for Fixation and Regulation of Fee of Private Schools shall, for the purpose of assisting it in the discharge of its functions, be provided by the Administration, such officers and employees as may be determined from time to time by the Administration in consultation with the Chairperson of the Committee.
- (2) All establishment charges of the Committee for Fixation and Regulation of Fee of Private Schools shall be borne by the

Administration.

- (3) The terms and conditions of service of the officers and employees referred to in sub-section (1) shall be such as may be determined by the Administration from time to time.
- (4) In the discharge of their functions under this Act, the officers and employees referred to in sub-section (1) shall be subject to the exclusive administrative control and direction of the Committee.

Sub-committees.

20H. The Administration may constitute such other sub-committees at Union territory level or Districts level with such powers and functions as it may deem fit to effectively regulate the fee in private schools.

Power to make regulations.

20-I. The Committee for Fixation and Regulation of Fee of Private Schools may, by notification, make such regulations as it may deem necessary for carrying out the purpose of the said Committee.

Powers of Civil Court.

20J. The Committee for Fixation and Regulation of Fee of private Schools shall for the purposes of making any inquiry or initiating any proceedings under this Act, have the same powers as are vested in a Civil Court, under the Code of Civil Procedure, 1908 (5 of 1908)".

Section 22. – Omit.**For section 25, substitute –****Bar of jurisdiction.**

“25. (1) Notwithstanding anything to the contrary contained in the Code of Civil Procedure, 1908 (5 of 1908) or any other law for the time being in force, no court shall grant any injunction or make any interim order restraining any proceedings which is being or is about to be taken under this Act.

- (2) No suit, prosecution or other legal proceedings shall lie against the Chairperson or any member of the Committee for Fixation and Regulation of Fee of Private Schools or any officer or other employee or any person acting under the direction either of the Administration or of the said Committee, in respect of anything which is in good faith done or intended to be done in pursuance of the provisions of this Act or the rules or orders made there under.".

For section 27, substitute –**Penalties.**

“27.(1) Whosoever contravenes any of the provisions of this Act or rules made there under except the violation of directions issued by the Committee for Fixation and Regulation of Fee of Private Schools shall be liable to a fine of not less than fifteen thousand rupees for first offence and fifty thousand rupees for every subsequent offence by the Director School

Education.

(2) Any person or private school which contravenes the directions of the Committee for Fixation and Regulation of Fee of Private Schools shall be liable to a fine of not less than fifty thousand rupees for first offence and one lakh rupees for every subsequent offence including recommendation for disaffiliation of such private school by the said Committee."

For section 28, substitute –

Revision and appeal.

"28.(1) Any person aggrieved of any order passed by the authority under sub-section (1) of section 27 may file a revision petition before the Director School Education within a period of thirty days from the date of the order in such form and manner as may be prescribed.

(2) Any person or private school aggrieved by any order made by the Committee for Fixation and Regulation of Fee of Private Schools in exercise of its powers conferred under sub-section (2) of section 27 may prefer an appeal against such order to the High Court of Jammu and Kashmir within a period of thirty days from the date of the order."

Section 29.— In sub-section (2), omit clause (g).

**69. THE JAMMU AND KASHMIR BOARD OF SCHOOL EDUCATION ACT, 1975
(XXVIII of 1975)**

Throughout the Act, except as otherwise provided, for "Government" and "Government Gazette", substitute "Administration of Union territory of Ladakh" and "Official Gazette", respectively.

Throughout the Act, except in preamble and in section 44 of the Act or as otherwise provided, for "Jammu and Kashmir" and "State" substitute "Union territory of Ladakh" and "Union territory", respectively.

Preamble.— For "State" and "in the State of Jammu and Kashmir" substitute "Union territory" and "in the Union territory of Ladakh", respectively.

Section 1. – In sub-section (2), for "whole of the State of Jammu and Kashmir" substitute "whole of the Union territory of Ladakh".

Section 2. – (i) For clause (a), substitute—
'(a)"Affiliated" with its grammatical variations and cognate expressions used with reference to an institution means affiliated or deemed to be affiliated to the Board for the purposes of admission to the privileges of the Board;.;
(aa) "Board" means the Board of School Education established under section 3;';

(ii) for clause (c), substitute—

‘(c) "Elementary Education" means education at the elementary stage in a school corresponding to Grades I to VIII as per courses of study prescribed by a competent academic authority;’;

(iii) after clause (d), insert—

‘(da) "Head of the institution" means Headmaster or Principal or any other Principal or Academic Officer, by whatever designation called, of an affiliated institution;’;

(iv) for clause (h), substitute—

‘(h) "Recognised" with its grammatical variations and cognate expressions, used with reference to institutions means recognised schools or institutions by the Administration of the Union territory of Ladakh for imparting education to the students at Pre-primary, Elementary, Secondary, Higher Secondary or Teachers Training level;’; and

(v) for clause (m), substitute—

‘(m) "Training Institution" means a training institution run privately or by the Administration of the Union territory of Ladakh and recognised by the Administration of the Union territory of Ladakh and affiliated to such Board as may be prescribed by the said Administration’.

Section 3. –

(i) In sub-section (1), for "Elementary Education" substitute "Pre-primary Education, Elementary Education" ;

(ii) in sub-section (1), insert,—

“Provided that the Administration may entrust job of the Board or affiliate to such Board of any other State or any other Union territory or Central Board of Secondary Education or any other body as may be notified for this purpose.”; and

(iii) in sub-section (2), for “Jammu and Kashmir State Board” substitute “Union territory of Ladakh Board”.

Section 4. –

For section 4, substitute,—

Composition of Board

“4. The Board shall consist of such members as may be appointed by the Administration.”.

Section 9. –

(i) In the marginal heading, omit “and its two Divisions”;

(ii) for “at Srinagar and Jammu for such periods as the Chairman from time to time determine” substitute “as prescribed by the Administration of the Union territory of Ladakh”; and

(iii) omit the provisio.

Section 10. –

(i) In clause (i), for "Elementary", substitute “Pre-primary and Elementary”; and

(ii) after “examinations” insert “and Elementary Teachers Training Course” ;

(iii) in clause (ii), after "courses", insert "and Teacher Training Education Courses";

(iv) in clause (iii), after "Board", insert "through electronic and print media";

(v) in clause (v), after "Higher Secondary Courses", insert "and Teachers Training Courses, etc.";

(vi) in clause (xiii), for "University of Jammu, University of Kashmir" substitute "University of Ladakh";

(vii) for clause (xv), substitute—

"(xv) to call for reports from the concerned Director of School Education about the working and facilities available in a school applying for affiliation with the Board";

(viii) in clause (xvi), insert "Pre-primary" after "relating to" and insert "Teacher Training Courses" after "education";

(ix) for clause (xviii), substitute—

"(xviii) to frame regulations for implementing various provisions of the Act.";

(x) for clause (xxvii), substitute—

"(xxvii) (a) to constitute or appoint different Boards of Studies for different subjects of studies at different stages including elementary teacher education;

(b) to undertake printing and publication of textbooks prepared or developed and approved by the concerned Courses Committee"; and

(xi) for clause (xxviii), substitute—

"(xxviii) to liaise with different sister organisations at the national level including the Council of Boards of Secondary Education (COBSE), the National Council of Educational Research and Trainings (NCERT) and the National Council for Teacher Education (NCTE) for furthering the objectives of this Act."

Section 11. —

Omit sub-section (3).

Section 13. —

For sub-section (4), substitute—

"(4) If in the opinion of the Chairman any emergency has arisen which requires that immediate action should be taken, he shall take such action as he deems appropriate and shall thereafter, report the action taken to the Board at its next meeting or a meeting convened for the purpose:

Provided that the Chairman shall as soon thereafter as may be, report his action together with reasons thereof to the office, authority or other body of the Board or the Board, as the case may be, who or which would ordinarily have dealt with the matter:

Provided further that no appointment of any nature, whatsoever, shall be made under these powers:

Provided also that no promotions of any nature, whatsoever, shall be made under these powers."

Section 16 and 17.

Omit.

Insertion of new section – After section 17, insert –**Director
Academics.**

“17A. The Director Academics shall be appointed by the Administration of the Union territory of Ladakh from amongst senior and competent academicians or educationists having a deep understanding on various issues including that of curriculum making, teaching-learning methodology, contemporary advances in cognitive learning and all such related matters.

**Powers and
functions of
Director
Academics.**

17B. Subject to the control and regulations of the Board, the Director Academic, shall head such Divisions of the Board as may be provided in the regulations for realisation of various educational objectives of the Board including that of-

- (a) preparation of curricula for different stages of education;
- (b) preparation of curricula for various Teacher Education Courses;
- (c) preparation of curricula for Vocational Courses and Physical Education;
- (d) development of material or books for various stages of education, promotion and development of quality education in the Union territory;
- (e) review, revision or preparation of scheme or schemes of examinations;
- (f) conduct of orientation courses in new methods of evaluation;
- (g) conduct refresher courses of teachers in new schemes or teaching new curricula.”.

**Insertion of new
section – After Section
22, insert-****Financial Advisor**

“22A.(1) The Administrative Secretary, Finance Department, or any officer nominated by the Administration of the Union territory of Ladakh shall be the ex officio Financial Advisor to the Board.

(2) The Financial Advisor shall be an ex officio member of the Board and its Finance Committee.

(3) The Financial Advisor shall exercise such powers and performs such duties as may be prescribed by the Statutes and regulations made under this Act.”.

Section 33.-

In sub-section (2), in clause (d), for “recognition” occurring at both the places substitute “affiliation”.

Section 34. –

Omit.

**For section 35,
substitute–****Copies of regulations
and alterations**

“35. A copy of every regulation made by the Board under section 33 and of

thereof. every modification or revision thereof shall be submitted to the Administration of the Union territory of Ladakh for information."

Section 36. For "High School and Higher Secondary School Education" substitute—
"High School, Higher Secondary School and Elementary Teacher Training Education".

For Section 37
substitute—

Admission of
institutions to
privileges of Board.

“37. (1) Any Institution, in or outside the Union territory, may apply to the Board for being admitted to the privileges of the Board and the Board may, subject to such conditions and restrictions as may be prescribed, admit such institution to the privileges of the Board.

(2) Where the Board is satisfied that its privileges are being abused by any affiliated institution or that the prescribed conditions or restrictions are not being complied with by such institution, the Board may withdraw its privileges from the institution, and thereon the institution shall cease to be an affiliated institution:

Provided that before withdrawing the privileges, the Board shall require the institution to showcase why such action should not be taken and consider any explanation which may be furnished by it.”.

Section 38.- Omit.

For section 40,
substitute—

Meetings of Board.

“40.(1) The Board shall hold its meetings at least four times in a year but three months shall not intervene between its last meeting and the next following meeting.

(2) The Chairman shall preside every meeting of the Board.

(3) All matters in a meeting of the Board shall be decided by the vote of the majority of the members present and voting:

Provided that in the case of equality of votes, the Chairman, in addition to his vote as a member, have a casting vote.

(4) Two-third of the total membership shall form a quorum at a meeting of the Board:

Provided that if a meeting is adjourned for want of quorum, no quorum shall be necessary at the next meeting for transacting the same business.

(5) Copy of the proceedings of every meeting of the Board shall be sent to the Administration of the Union territory of Ladakh by the Secretary as soon as the meeting is held.

(6) No action taken, or proceedings taken, under this Act by the Board shall

be invalid merely on the ground of the existence of any vacancy amongst members, or by reason of defect or irregularity in its constitution or any irregularity in procedure not affecting the merits of the case.”.

**For section 43,
substitute—**

Legal proceedings.

“43.No suit shall be instituted against the Board, or any member thereof, or any of its officers or other employees, or any person acting under the directions of the Board or any member or any officer or other employees of the Board in respect of any act done or purporting to have been done in pursuance of this Act or any rule or regulation made there under until the expiration of two months after notice, and in any other case, delivered to, or left at the office or place of abode of, the person to be sued and unless such notice state explicitly the cause of action, the nature of relief sought, the amount of compensation claimed and the name and place of residence of the intending plaintiff and unless the plaint contains a statement that such notice has been so left or delivered.”.

**Insertion of new
section – After section
43, insert—**

Copy right.

“43A. (1) Copy right of all materials developed, printed and published by the Board shall vest with the Board itself.

(2) The Board may get material pertaining to School Education developed, published or printed from any agency as it may consider appropriate in the public interest.

**Summary powers of
recovery.**

43B. In case any sum is recoverable by the Board of School Education from any person on account of purchase, sale transportation, printing, storage or transit shortage of books and printing material or other sums found to have been misappropriated by the officials of the Board, the said sum of money shall be recoverable from such a person and the procedure of recovery shall be the same as prescribed under section 90 of the Land Revenue Act, 1996.”.

**70. THE JAMMU AND KASHMIR BOVINE BREEDING (REGULATION OF PRODUCTION,
SALE OF BOVINE SEMEN AND ARTIFICIAL INSEMINATION SERVICES) ACT, 2018**

(LI of 2018)

Throughout the Act, except as otherwise provided, for “State”, “Jammu and Kashmir” and “Government Gazette”, substitute “Union territory”, “Union territory of Ladakh” and “Official Gazette”, respectively.

Throughout the Act, except in sub-section (I) of section 21 or as otherwise provided, for “Government”, substitute “Administration of the Union territory of Ladakh”.

- Section 2.** – (i) After clause (a), insert, –
 ‘(aa) “Administration” means the Administration of the Union territory of Ladakh’ ;
 (ii) in clause (j), omit “Kashmir and Livestock Development Board Jammu” ;
 (iii) omit clause (o); and
 (iv) in clause (p), for “Jammu and Kashmir State” substitute “Union territory of Ladakh”.
- Section 5.** – In section 5, for “at the office of the Chairman, Jammu and Kashmir State Implementing Agency/Administrative Secretary, Animal Sheep Husbandry and Fisheries Department”, substitute “such as notified by the Administration”.
- Section 9.** – In sub-section (1), for “State of Jammu and Kashmir” substitute “Union territory of Ladakh”.
- Section 17.** – (i) In sub-section (1), for “the tribunal established under the Jammu and Kashmir Special Tribunal Act, 1988 (Act No 19 of 1988)” substitute “such authority as may be notified by the Administration” ; and
 (ii) in sub-section (2), for “The Tribunal” substitute “Such authority”.
- Section 18.** – In sub-section (2), for “Jammu and Kashmir Code of Criminal Procedure Svt, 1989 (1933 A.D)” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 29.** – For “Ranbir Penal Code, Samvat 1989” substitute “Indian Penal Code (45 of 1860)”.
- Section 32.** – Omit sub-section (3).
- Section 34.** – For “Jammu/Kashmir” substitute “Ladakh”.

71. THE JAMMU AND KASHMIR AERIAL ROPEWAYS ACT, 2002

(XII of 2002)

Throughout the Act, except in preamble or as otherwise provided, for “Jammu and Kashmir” and “State” substitute “Union territory of Ladakh” and “Union territory”, respectively,

Throughout the Act, except in clause (ix) of sub-section (4) of section 6 or as otherwise provided, for “Government” substitute “Administration”.

Throughout the Act, for State Ranbir Penal Code Samvat 1989”, substitute Indian Penal Code (45 of 1860).

- Section 1.** – In sub-section (2), for “State of Jammu and Kashmir” substitute “Union territory of Ladakh”.
- Section 2.** – (i) After clause (a), insert, –
 ‘(aa) “Administration” means the Administration of the Union territory of

Ladakh’;

(ii) after clause (c), insert –

‘(cc) “Collector” means Collector as defined under the Land Revenue Act, Svt. 1996’;

(iii) omit clause (d);

(iv) for clause (f), insert, –

‘(f) “Inspector” means an officer, a Committee or an Agency so appointed by the Administration under this Act’;

(v) in clause (k), in sub-clause (iv), for “Companies Act, 1956” substitute “Companies Act, 2013”(18 of 2013); and

in sub-clause (v) for “Indian Railway Act, 1980” substitute

“The Railways Act, 1989 (24 of 1989)”.

**For sections 3 and 4
substitute–**

**Declaration for
concessions.**

“3. Every declaration by an intending promoter other than the Administration in regard to a proposed aerial ropeway for undertaking the necessary preliminary investigations shall be submitted on an application to the Divisional Commissioner.

**Contents of
Declaration.**

4. Every such application shall be supported by a duly sworn affidavit and shall include–

(i) a description of the undertaking and of the route to be followed by the proposed aerial ropeway;

(ii) a description of the system of construction and management and the advantages to the community to be expected from the aerial ropeway;

(iii) an approximate estimate of the cost of construction thereof; and

(iv) such maps, plans, sections, diagrams and other information as the Administration of the Union territory of Ladakh may require in order to form an idea of the proposal.”.

**For section 18
substitute.-**

**Promoter to fix
rates.**

"18. The promoter shall, for the purposes of working an aerial ropeway, have powers to fix the rates for the carriage of passengers, animals or goods on the aerial ropeway:

Provided that such rates shall be subject to such maximum and minimum rates as may be prescribed or ordered in case where concession, guarantee, or financial assistance have been granted by the Administration or any local authority.”.

- Section 30.** – For “State Land Acquisition Act, Samvat 1990” substitute “the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (30 of 2013)”.
- Section 32.** – Omit sub-section (4).
- Section 34.** – For “one thousand rupees” substitute “five thousand rupees”.

**72. THE JAMMU AND KASHMIR FOREST (PROTECTION) FORCE ACT, 2001
(VI of 2001)**

Repeal as a whole.

**73. THE PREVENTION OF RUM RASUM ACT, 1977
(I of 1997)**

Throughout the Act, for “Jammu and Kashmir State”, substitute “Union territory of Ladakh”.

- Section 4.** – For “five hundred rupees” substitute “five thousand rupees”.

**74. THE PROBATE AND ADMINISTRATION ACT, SVT. 1977 (1920 A.D.)
(XXIX of Svt. 1977)**

Throughout the Act, except as otherwise provided, for “Government” and “Government Gazette”, “Jammu and Kashmir” and “State” substitute “Administration” and “Official Gazette”, “Union territory of Ladakh” and “Union territory”, respectively.

Throughout the Act, for “Code of Civil Procedure, Samvat 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.

Throughout the Act, for “Ranbir Penal Code”, wherever occurring, substitute ‘Indian Penal Code (45 of 1860)’.

- Section 1.** – In sub-section (2), for “Jammu and Kashmir State” substitute “Union territory of Ladakh”.
- Section 3.** – (i) For “Province- Province means the province of Jammu or the province of Kashmir” substitute “Province- Province means Union territory of Ladakh”; and
(ii) in the definition of “Mines” for “the Majority Act, 1977,” substitute “the Majority Act, 1875 (9 of 1875)”.
- Section 59.** – For “the whole of state” substitute “the whole of the Union territory”.
- Section 60.** – In sub-section (2), in example, for “the whole of the State” substitute “the whole of the Union territory”.

**75. THE JAMMU AND KASHMIR NATIONAL LAW UNIVERSITY ACT, 2018
(II of 2019)**

Repeal as a whole.

76. THE SRINAGAR AND JAMMU CLUSTER UNIVERSITIES ACT, 2016**(III of 2016)**

Repeal as a whole.

77. THE JAMMU AND KASHMIR MIGRANT IMMOVABLE PROPERTY (PRESERVATION, PROTECTION AND RESTRAINT ON DISTRESS SALES) ACT, 1997**(XVI of 1997)**

Repeal as a whole.

78. THE JAMMU AND KASHMIR MIGRANTS (STAY OF PROCEEDINGS) ACT, 1997**(XVII of 1997)**

Repeal as a whole.

79. THE JAMMU AND KASHMIR FLOOD PLAIN ZONES (REGULATION AND DEVELOPMENT) ACT, 2005**(XVII of 2005)**

Repeal as a whole.

80. THE JAMMU AND KASHMIR BABA GHULAM SHAH BADSHAH UNIVERSITY ACT, 2002**(XVI of 2002)**

Repeal as a whole.

81. THE KASHMIR AND JAMMU UNIVERSITIES ACT, 1969**(XXIV of 1969)**

Repeal as a whole.

82. THE JAMMU AND KASHMIR SHRI MATA VAISHNO DEVI UNIVERSITY ACT, 1999**(XII of 1999)**

Repeal as a whole.

83. THE JAMMU AND KASHMIR PREVENTION AND SUPPRESSION OF SABOTAGES ACT, 1965**(XXII of 1965)**

Repeal as a whole.

84. THE JAMMU AND KASHMIR CIVIL COURTS ACT, SVT. 1977**(XLVI of Samvat 1977)**

Throughout the Act, unless otherwise provided, for ‘Government’, “and ‘Government Gazette, substitute ‘Administration of the Union territory of Ladakh’ and ‘Official Gazette’ respectively.

Throughout the Act for “Code of Civil Procedure” substitute “Code of Civil Procedure 1908(5 of 1908).

Throughout the Act, for “the State” substitute ‘the Union territory of Ladakh’.

- Section 1.— In sub-section (2), for “Jammu and Kashmir” substitute “Union territory of Ladakh”.
- Section 2. – (i) Omit clause (i);
(ii) after clause (i), insert -
‘(ia) “High Court” means the common High Court for the Union territory of Jammu and Kashmir and the Union territory of Ladakh created under Part VIII of the Jammu and Kashmir Reorganisation Act, 2019 (34 of 2019)’.
- Section 3. – Omit.
- Section 4.— Omit.
- Section 8. – In sub-section (1), in clause (d), for “sued” substitute “used”.
- Section 13. – Omit “ the Courts of Small Causes established under the Small Cause Court Act, and”
- Section 24.— Omit.
- Section 25. – (i) In sub-section (2), -
(a) in clause (a), for “Probate and Administration Act” and “fifth paragraph of the Third Schedule” substitute “Indian Succession Act, 1925 (39 of 1925)” and “paragraph 3 of Schedule III ” ; and
(b) for “Guardian and Wards Act” substitute “Guardians and Wards Act, 1890(8 of 1890)”.
- Section 39. – In sub-section (2), omit “in paragraph 17 of the second Schedule or”.
- Section 43. – For “High Court of Judicature, Jammu and Kashmir State” substitute “High Court”.

85. THE JAMMU AND KASHMIR PREVENTION OF BEGGARY ACT, 1960
(XL of 1960)

Repeal as a whole.

**86. THE JAMMU AND KASHMIR BOARD OF PROFESSIONAL ENTRANCE EXAMINATION
ACT, 2002**

(XXV of 2002)

Repeal as a whole.

**87. THE JAMMU AND KASHMIR (PREVENTION OF UNFAIR MEANS) EXAMINATIONS
ACT, 1987**

(XX of 1987)

Throughout the Act except as otherwise provided, for ‘Government’, and ‘Government Gazette, substitute ‘Administration’ and ‘Official Gazette’, respectively.

Throughout the Act except in the preamble or as otherwise provided, for “Jammu and Kashmir” and “State” substitute “Union territory of Ladakh” and “Union territory”, respectively.

Section 1. – In sub-section (2), for “State of Jammu and Kashmir” substitute “Union territory of Ladakh”.

Section 2. – (i) In clause (a), for “Jammu and Kashmir State” substitute “Union territory of Ladakh”, and for “Jammu and Kashmir Board of School Education Act 1975”, substitute “Jammu and Kashmir Board of School Education Act 1975 or any other Board notified by the Administration”;

(ii) after clause (a), insert –

‘(ab) “Administration” means the Administration of the Union territory of Ladakh ;’ ;

(iii) in clause (h), for “Jammu and Kashmir Board of School Education Act 1975” substitute “Jammu and Kashmir Board of School Education Act 1975 or any other Board notified by the Administration”; and

(iv) in clause (l), for “an university established under any act passed by the State Legislature” substitute “any University notified by the Administration for the purposes of this Act”.

Section 7. – For “Code of Criminal Procedure, Samvat 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.

Section 8. – (i) For “Code of Criminal Procedure, Samvat 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”; and

(ii) in clause (iii), for “section 259-A of the Code of Criminal Procedure, Samvat 1989” substitute “Chapter XIX of the Code of Criminal Procedure, 1973 (2 of 1974)”.

Section 10. – For “Ranbir Penal Code” substitute “Indian Penal Code (45 of 1860)”.

**88. THE JAMMU AND KASHMIR PRIVATE COLLEGES (REGULATION AND CONTROL)
ACT, 2002**

(XXII of 2002)

Throughout the Act except in the clause (2) of section 17 or as otherwise provided, for ‘Government’, substitute ‘Administration of Union territory of Ladakh’.

Throughout the Act except as otherwise provided, for ‘Government Gazette, substitute ‘Official Gazette’.

Throughout the Act except in section 24 of the Act or as otherwise provided, for ‘Jammu and Kashmir’ substitute ‘Union territory of Ladakh’.

Throughout the Act including the preamble or as otherwise provided, for ‘State’ substitute ‘Union territory of Ladakh’.

- Section 1.** – In the sub-section (2), for “State of Jammu and Kashmir” substitute “Union territory of Ladakh”.
- Section 2.** – (i) After clause (a), insert—
 ‘(ab) “Administration” means the Administration of the Union territory of Ladakh ;’ ;
 (ii) in clause (c), –
 (a) for “affiliated to the University of Kashmir or the University of Jammu” substitute “affiliated to University of Ladakh or any other university notified by the Administration” ;
 (b) in sub-clause (i), for “University of Kashmir or University of Jammu” substitute “any university notified by the Administration for the purposes of this Act”.
 (iii) omit clause (f) ;
 (iv) in clause (i) for “State” means the State of Jammu and Kashmir” substitute “Union territory means the Union territory of Ladakh” ;
 (v) in clause (j), for “University of Kashmir or the University of Jammu as established under the Kashmir and Jammu University Act, 1969” substitute “University of Ladakh or any other Universities as may be notified by the Administration”.
- Section 3.** – In sub-section (2), for “Kashmir and Jammu University Act, 1969” substitute “University of Ladakh Act, 2018”.
- Section 9.** – In the sub-section (2) for “Government Services”, substitute “services under Administration of Union territory of Ladakh”.
- Section 17.** – In clause (1), for “Kashmir and Jammu University Act, 1969” substitute “University of Ladakh Act, 2018”.
- Section 19.** – For “Code of Civil Procedure, Samvat 1977” substitute “Code of Civil Procedure, 1908 (5 of 1908)”.

89. THE POLICE ACT, 1983

(II of Samvat 1983)

Throughout the Act, unless otherwise provided, for ‘Government’, ‘State’ and ‘Jammu and Kashmir Government Gazette’, substitute ‘Administration of the Union territory of Ladakh’, ‘Union territory of Ladakh’ and ‘Official Gazette’, respectively.

- Section 2. – For “of its third publication”, substitute “its publication”.
- Section 4. – At the end, insert “All references in this Act to “Inspector General”, “Deputy Inspector General”, “Assistant Inspector General”, “Superintendent”, “Deputy Superintendent”, “Assistant Superintendent”, or any other post in the police force shall, if such post does not exist in the Union territory of Ladakh, be deemed to refer to an equivalent post or to such post which has been notified for this purpose by the Administration of the Union territory of Ladakh.”.
- Section 8. – For “provisions of section 126 of the Constitution of Jammu and Kashmir” substitute “provisions of article 311 of the Constitution of India”.
- Section 17. – In sub-section(1), for “section 386 and 387 of the Code of Criminal Procedure” substitute “sections 421 and 422 of the Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 27. – In sub-section (2), for “section 525 of the Code of Criminal Procedure 1989” substitute “section 459 of the Code of Criminal Procedure, 1973 (2 of 1974)”.

**90. THE JAMMU AND KASHMIR ISLAMIC UNIVERSITY OF SCIENCE AND TECHNOLOGY
KASHMIR ACT, 2005**

(XVIII of 2005)

Repeal as a whole.

**91. THE JAMMU AND KASHMIR DELIVERY OF BOOKS AND NEWSPAPERS (PUBLIC
LIBRARIES) ACT, 1961**

(XIII of 1961)

Repeal as a whole.

**92. THE JAMMU AND KASHMIR HERITAGE CONSERVATION AND PRESERVATION ACT,
2010**

(XV of 2010)

Throughout the Act, except as otherwise provided, for “Government” and “Government Gazette”, substitute “Administration of the Union territory of Ladakh” and “Official Gazette”, respectively.

Throughout the Act, except in the preamble or as otherwise provided, for “Jammu and Kashmir” and “State” substitute “Union territory of Ladakh” and “Union territory”, respectively.

- Section 2. –** (i) After clause (a), insert —
‘(aa) “Administration” means the Administration of Union territory of Ladakh’;
and

(ii) omit clause (h).

Section 15. – In sub-section (I) for “five thousand rupees” substitute “fifty thousand rupees”.

**93. THE JAMMU AND KASHMIR VACCINATION ACT, 1967
(XXI of 1967)**

Repeal as a whole.

**94. SHER-I-KASHMIR INSTITUTE OF MEDICAL SCIENCES (GRANT OF DEGREES) ACT,
1983
(XIII of 1983)**

Repeal as a whole.

**95. THE JAMMU AND KASHMIR CIVIC LAWS (SPECIAL PROVISIONS) ACT, 2014
(XIII of 2010)**

Repeal as a whole.

**96. THE JAMMU AND KASHMIR FRUIT NURSERIES (LICENSING) ACT, 1987
(XXII of 1987)**

Throughout the Act, unless otherwise provided, for ‘Government’, and ‘Government Gazette, substitute ‘Administration of the Union territory of Ladakh’, and ‘Official Gazette’, respectively.

Throughout the Act, unless otherwise provided for ‘Jammu and Kashmir’ substitute ‘Union territory of Ladakh’, except in the preamble.

Preamble.– For “State of Jammu and Kashmir” substitute “Union territory of Ladakh”.

Section 1. – In sub-section (2), for “State of Jammu and Kashmir” substitute “Union territory of Ladakh”.

Section 7. – For “State”, wherever occurring, substitute “Union territory of Ladakh”.

Section 17. – For “Code of Criminal Procedure, Samvat, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.

Section 18. – For “State Ranbir Penal Code” substitute “Indian Penal Code (45 of 1860)”.

Section 21. – Omit sub-section (3).

**97. THE AGRICULTURISTS RELIEF ACT, 1983
(I OF SAMVAT 1983)**

Repeal as a whole.

**98. THE JAMMU AND KASHMIR GOVERNMENT AID TO AGRICULTURISTS AND LAND
IMPROVEMENT ACT
(VII of Samvat 1993)**

Repeal as a whole.

99. THE JAMMU AND KASHMIR PUBLIC SERVICES GUARANTEE ACT, 2011 (IX of 2011)

Throughout the Act, unless otherwise provided, for ‘Government’, and ‘Government Gazette’, substitute ‘Administration of the Union territory of Ladakh’, and ‘Official Gazette’, respectively.

Throughout the Act, for ‘Jammu and Kashmir’ and ‘State’ substitute ‘Union territory of Ladakh’ except in the preamble or as otherwise provided.

Preamble. – For ‘the State’ substitute ‘Union territory of Ladakh’.

Section 2. – (i) After clause (a), insert –
‘(ab) “Administration” means Administration of the Union territory of Ladakh.’ ;
and
(ii) Omit clauses (e), (j) and (l).

Section 9. – For “Code of Civil Procedure” substitute “Code of Civil Procedure, 1908 (5 of 1908)”.

Section 15. – For “the Special Tribunal” substitute “the authority as may be designated by the Administration of the Union territory of Ladakh”.

**100. THE LADAKH BUDDHISTS SUCCESSION TO PROPERTY ACT, 2000 (XVIII of
Samvat 2000)**

Preamble. – For “Buddhist of Ladakh” substitute “Buddhist of the Union territory of Ladakh”.

Section 1. – In the sub-section (2), for “Jammu and Kashmir State” substitute “Union territory of Ladakh”.

Section 2. – In clause (b), for "means the District of Ladakh" substitute "means the Union territory of Ladakh".

**101. THE JAMMU AND KASHMIR CIVIL SERVICES (SPECIAL PROVISIONS) ACT,
2010
(XIV of 2010)**

Repeal as a whole.

**102. THE NATIONAL DEFENCE FUND DONATION OF IMMOVABLE PROPERTY
(EXEMPTION FROM STAMP DUTY AND REGISTRATION) ACT, 1963
(V of 1963)**

Throughout the Act, unless otherwise provided, for "Government", substitute "Administration".

Section 4. – In sub-section (1), for "Government Gazette", substitute "Official Gazette".

**103. THE STAMP ACT, SVT. 1977
(XL of Samvat 1977)**

Repeal as a whole.

**104. THE JAMMU AND KASHMIR GOODS AND SERVICES TAX ACT, 2017
(V of 2017)**

Repeal as a whole.

**105. THE KASHMIR SILK PROTECTION ACT, 1964
(Notification No. 14 of Samvat 1964)**

Repeal as a whole.

**106. THE JAMMU AND KASHMIR SILK (DEVELOPMENT AND PROTECTION) ACT, 1988
(XXVIII of 1988)**

Repeal as a whole.

**107. THE JAMMU AND KASHMIR NAMDHA QUALITY CONTROL ACT, SVT. 2010
[VI of Samvat 2010 (1953 A.D)]**

Repeal as a whole.

**108. THE JAMMU AND KASHMIR OBSOLETE LAWS (REPEAL) ACT, 2010
(XXVII of 2010)**

Preamble. — For ‘in the State’ substitute ‘in the Union territory of Ladakh’.

**109. THE JAMMU AND KASHMIR STATE FINANCE COMMISSION ACT, 2006
(XVIII of 2006)**

Repeal as a whole.

**110. THE JAMMU AND KASHMIR FISCAL RESPONSIBILITY AND BUDGET MANAGEMENT
ACT, 2006
(XII of 2006)**

Repeal as a whole.

**111. THE LEVY OF TOLLS ACT, SVT. 1995
(VIII of 1995)**

Repeal as a whole.

**112. THE JAMMU AND KASHMIR PROFESSIONS, TRADES, CALLINGS AND
EMPLOYMENT TAX ACT, 2005
(IX of 2005)**

Repeal as a whole.

113. THE JAMMU AND KASHMIR STATE EMERGENCY RELIEF FUND ACT, 1960 (XIII of 1960)

Repeal as a whole.

**114. THE USURIOUS LOANS ACT, SVT. 1977
(XLVII of Samvat 1977)**

Repeal as a whole.

115. THE JAMMU AND KASHMIR PROTECTION OF INTERESTS OF DEPOSITORS (IN FINANCIAL ESTABLISHMENTS) ACT, 2018**(XIII of 2018)**

Repeal as a whole.

116. THE JAMMU AND KASHMIR REGULATION OF ACCOUNTS ACT, SVT. 2001**(XIV of Samvat 2001)**

Repeal as a whole.

117. THE JAMMU AND KASHMIR URBAN IMMOVABLE PROPERTY TAX (REPEAL AND SAVING) ACT, 2002**(XXVIII of 2002)**

Repeal as a whole.

118. THE JAMMU AND KASHMIR TENANCY ACT, 1980**(II of Samvat 1980)**

Repeal as a whole.

119. THE JAMMU AND KASHMIR TENANCY (STAY OF EJECTMENT PROCEEDINGS) ACT, 1966**(XXXIII of 1966)**

Repeal as a whole.

120. THE JAMMU AND KASHMIR RESTITUTION OF MORTGAGED PROPERTIES ACT, 1976**(XIV of 1976)**

Repeal as a whole.

121. THE JAMMU AND KASHMIR MULBERRY PROTECTION ACT, SVT. 2006 (X of 2006)

Repeal as a whole.

122. THE INSPECTOR GENERAL OF PRISONS (CHANGE IN DESIGNATION) ACT, 2001**(XIII of 2001)**

Repeal as a whole.

123. THE JAMMU AND KASHMIR SIKH GURDWARAS AND RELIGIOUS ENDOWMENT ACT, 1973

(XV of 1973)

Throughout the Act, for “Government Gazette”, substitute “Official Gazette”.

Throughout the Act, other than in clause (vi) of section 4, for “Government”, substitute “Administration of the Union territory of Ladakh”.

- Preamble. – For “in Jammu and Kashmir State”, substitute “Union territory of Ladakh”.
- Section 1. – (i) in sub-section (2), for “Jammu and Kashmir State”, substitute “Union territory of Ladakh”; and
(ii) in sub-section (2a), for “State”, substitute “Union territory of Ladakh”.
- Section 2. – In clause (a), for “State”, substitute “Union territory of Ladakh”.
- Section 2A. – For “Jammu and Kashmir Houses and Shops Rent Control Act, 1966”, substitute “Jammu and Kashmir Residential and Commercial Tenancy Act, 2012”.
- Section 4. – (i) In clause (v), for “Jammu and Kashmir State”, substitute “Union territory of Ladakh”;
(ii) omit clause (vi).
- Section 6. – Omit “by rotation at Srinagar and Jammu”.
- Section 7. – For “offices in Jammu and Srinagar”, substitute “an office in Ladakh”.
- Section 8. – Omit the proviso.
- Section 12. – Omit clause (vi).

124. THE JAMMU AND KASHMIR GIFT GOODS (UNLAWFUL POSSESSION) ACT (XL of 1963)

Repeal as a whole.

125. THE JAMMU AND KASHMIR KAHCHARAI ACT, 2011 (XVIII of 2011)

Throughout the Act, unless otherwise provided, for “Government”, “Jammu and Kashmir” or “State”, and “Government Gazette”, substitute ‘Administration of the Union territory of Ladakh’, “Union territory of Ladakh” and ‘Official Gazette’, respectively.

- Section 1.– In sub-section (2), for “Jammu and Kashmir State” substitute “Union territory of Ladakh”.
- Section 3. – (i) In sub-section (4) for “Jammu and Kashmir Forest Act, 1987” and “Minister-in-charge of the Forest Department” substitute “Indian Forest Act, 1927 (16 of 1927” and “Administration of the Union territory of Ladakh”;

- (ii) in sub-section (9), omit “such that the territories comprising Kashmir Valley and”
- Section 12. – Omit clause (ii).
- Section 22. – In sub-section (1), for “Minister-in-charge of the Forest Department” substitute “Administration of the Union territory of Ladakh”.
- Section 25. – For “Code of Criminal Procedure” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 32. – For “Code of Criminal Procedure” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.

**126. THE JAMMU AND KASHMIR VEGETABLE SEEDS ACT, SVT. 2009.
(XIV of 1973)**

Repeal as a whole.

**127. THE ENEMY AGENTS ORDINANCE, 2005
(Ord. No. VIII of Samvat 2005)**

Throughout the Ordinance, unless otherwise provided, for ‘Government’ and ‘State’, substitute ‘Administration of the Union territory of Ladakh’, and ‘Union territory of Ladakh’, respectively.

- Section 1.— In sub-section (2), for “Jammu and Kashmir State” occurring at both places, substitute “Union territory of Ladakh”.
- Section 9. – In sub-section (2), for “section 439 occurring at both places” substitute “section 401” .
- Section 12. – For “Evidence Act, 1977” substitute “Indian Evidence Act, 1872 (1 of 1872) ”.
- Section 13. – In sub-section (4), for “Code of Criminal Procedure, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 15. – For “Code of Criminal Procedure, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 16. – For “Code of Criminal Procedure, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.

**128. THE JAMMU AND KASHMIR CHOWKIDARI ACT, 1956.
(XXXVII of 1956)**

Throughout the Act except as otherwise provided, for “Government” and “Government Gazette” substitute “Administration of the Union territory of Ladakh”, and “Official Gazette” respectively.

Throughout the Act except in the preamble or as otherwise provided, for “Jammu and Kashmir” and “State” substitute “Union territory of Ladakh” and “Union territory”, respectively.

- Preamble.** – For “in the Jammu and Kashmir State” substitute “in the Union territory of Ladakh”
- Section 1.** – In sub-section (2), for “Jammu and Kashmir State” substitute “Union territory of Ladakh”.
- Section 11.** – For “Ranbir Penal Code, 1989” substitute “Indian Penal Code (45 Of 1860)”.

129. THE JAMMU AND KASHMIR PLANT DISEASE AND PESTS ACT, 1973
(XIV of 1973)

Throughout the Act, except as otherwise provided, for “Government” and “Government Gazette”, substitute “Administration of the Union territory of Ladakh” and “Official Gazette”, respectively.

- Preamble.** – For “State” substitute “Union territory of Ladakh”.
- Section 1.** – In sub-section (2), for “State of Jammu and Kashmir”, substitute “Union territory of Ladakh”.
- Section 10.** – In sub-section (3), for “five hundred rupees” substitute “five thousand rupees”.
- Section 16.** – Omit sub-section (4).

130. THE JAMMU AND KASHMIR SHRI AMARNATH JI SHRINE ACT, 2000
(XVIII of 2000)

Repeal as a whole.

131. THE JAMMU AND KASHMIR SHRI MATA SUKHRALA DEVI JI SHRINE AND SHRI MATA BALA SUNDARI SHRINE ACT, 2013
(III of 2013)

Repeal as a whole.

132. THE JAMMU AND KASHMIR SHRI MATA VAISHNO DEVI SHRINE ACT, 1988
(XVI of 1988)

Repeal as a whole.

133. THE JAMMU AND KASHMIR SHRI SHIV KHORI SHRINE ACT, 2008**(IV of 2008)**

Repeal as a whole.

134. THE JAMMU AND KASHMIR GOVERNOR'S SPECIAL SECURITY FORCE ACT, 2018**(XLII of 2018)**

Repeal as a whole.

135. THE JAMMU AND KASHMIR SPECIAL SECURITY GROUP ACT, 2000**(VI of 2000)**

Repeal as a whole.

136. THE JAMMU AND KASHMIR SAFFRON ACT, 2007**(V of 2007)**

Repeal as a whole.

137. THE JAMMU AND KASHMIR STATE VIGILANCE COMMISSION ACT, 2011 (I of 2011)

Repeal as a whole.

**138. THE JAMMU AND KASHMIR HABITUAL OFFENDERS (CONTROL AND REFORM)
ACT, 1956
(XI of 1956)**

Repeal as a whole.

**139. THE JAMMU AND KASHMIR HOME GUARDS ACT, 2006
(III of Samvat 2006)**

Throughout the Act, unless otherwise provided, for 'Government', 'State' and 'Government Gazette', substitute 'Administration of the Union territory of Ladakh', 'Union territory of Ladakh' and 'Official Gazette', respectively.

**For Section 2
substitute –**

**Constitution of Home
Guards and
appointment of
Commandant
General and
Commandants.**

“2. (1) The Administration of the Union territory of Ladakh shall constitute a volunteer body called the Home Guards, the members of which shall discharge such functions and duties in relation to the protection of persons, the security of property and public order, public safety and for such other functions as may be assigned to them in accordance with the provisions of this Act and the rules made there under.

(2) The Administration of the Union territory of Ladakh shall appoint an officer of suitable seniority of the Home Guards in whom shall vest general supervision and control of the Home Guards in the Union territory of Ladakh.

(3) The Administration of the Union territory of Ladakh may also appoint such number of additional officers as may be required to whom the officer referred to in sub-section (2) may delegate such of his powers as he may consider necessary for supervision, control and training of the Home Guards.

(4) The Administration of the Union territory of Ladakh shall also appoint a Commandant for the Home Guards in each district.”.

Section 6-B. –

(i) In sub-section (1), for “Ranbir Penal Code 1989” substitute “Indian Penal Code (45 of 1860)”; and

(ii) Omit sub-section (2).

Section 6-C. –

In sub-section (2), for “Code of Criminal Procedure, 1989” substitute “Code of Criminal Procedure, 1973 (2 of Sa mvat 1974)”.

**140. THE JAMMU AND KASHMIR FIRE FORCE ACT, 1967
(XII of 1967)**

Throughout the Act, unless otherwise provided, for ‘Government’, and ‘Government Gazette’, substitute ‘Administration of the Union territory of Ladakh’ and ‘Official Gazette’, respectively.

Throughout the Act, unless otherwise provided, for ‘State’, substitute ‘Union territory of Ladakh’, except in preamble.

Section 2. –

In clause (d), for “Jammu and Kashmir State Fire Force” substitute “Ladakh Fire and Rescue Service”.

Section 3. –	For “Jammu and Kashmir State Fire Force” substitute “Ladakh Fire and Rescue Service”.
Section 14. –	For “Consolidated Fund of the State” substitute “Consolidated Fund of India”.
Section 17. –	In sub-section (2), in clause (f), for “Jammu and Kashmir Arbitration Act, Samvat 2002” substitute “Arbitration and Conciliation Act, 1996 (26 of 1996)”.
Section 19. –	For “The Code of Civil Procedure, Samvat, 1977”, substitute “Code of Civil Procedure, 1908 (5 of 1908)”.
Section 21. –	For “Jammu and Kashmir State Ranbir Code, Samvat 1989” substitute “Indian Penal Code (45 of 1860)”.

**141. THE JAMMU AND KASHMIR STATE BOARD OF TECHNICAL EDUCATION ACT, 2002
(XXIV of 2002)**

Throughout the Act except as otherwise provided, for “Government Gazette”, substitute “Official Gazette”.

Throughout the Act except in the preamble and section 4 or as otherwise provided, for “State”, substitute “Union territory of Ladakh”.

Throughout the Act except in the preamble, sections 4 and 36 or as otherwise provided, for “Jammu and Kashmir” substitute “Union territory of Ladakh”.

Throughout the Act except in the phrase ‘Government of India’ referred to in clause (o) of section 2, for “Government” substitute “Administration”.

Preamble.— For ‘State board’ and ‘in the State’ substitute ‘Union territory Board’ and ‘in the Union territory’.

Section 1.— In the sub-section (2), for ‘whole of the state of Jammu and Kashmir’ substitute ‘whole of the Union territory of Ladakh’.

Section 2.— (i) After clause (a) insert –
‘(ab) ‘Administration’ means Administration of Union territory of Ladakh’;
(ii) omit clause (n) ;
(iii) omit clause (w) ; and
(iv) after clause (x), insert –
‘(xa) ‘Union territory’ means Union territory of Ladakh’

Section 3.— After section 3, insert –
“Provided that the Administration may entrust job of the Board or affiliate to such Board of any other State or any other Union territory or any other body as may be notified for this purpose.”.

Section 5.— For “the following members ... (r) Member-Secretary, to be appointed by the Government” substitute “such members as may be appointed by the Administration”.

Section 18.— For ‘standard terms of deputation provided in the Jammu and Kashmir Civil Services Regulations’ substitute ‘terms of deputation as may be prescribed by the Administration’.

Section 19.— Omit “,after due appropriation made by the State Legislature by law in this behalf”.

- Section 22.—** (i) In sub-section (2), for ‘section 226 of the Companies Act, 1956’ substitute ‘section 141 of the Companies Act, 2013 (18 of 2013)’ ; and
(ii) omit sub-section (5).
- Section 30.—** (i) For “Jammu and Kashmir State Ranbir Penal Code, Samvat, 1989”, wherever occurring, substitute “Indian Penal Code (45 of 1860)”; and
(ii) in sub-section (2), for “Code of Criminal Procedure, 1989” substitute “Code of Criminal Procedure, 1973 (2 of 1974)”.
- Section 32.—** Omit sub-section (3).

142. THE JAMMU AND KASHMIR PROHIBITION OF RAGGING ACT, 2011 (VI of 2011)

Throughout the Act except as otherwise provided, for “Government”, and “Government Gazette”, substitute “Administration of Union territory of Ladakh” and “Official Gazette”, respectively.

Throughout the Act except in the preamble or as otherwise provided, for “Jammu and Kashmir” and “State” substitute “Union territory of Ladakh” and “Union territory”, respectively.

- Preamble. —** For “in the State of Jammu and Kashmir” substitute “in the Union territory of Ladakh”.
- Section 2. —** (i) After clause (a), insert –
‘(ab) “Administration” means the Administration of the Union territory of Ladakh ;’ ;
(ii) omit clause (d); and
(iii) in clause (h), for “State means the State of Jammu and Kashmir” substitute “Union territory means the Union territory of Ladakh”.

[F. No. 11012/21/2020-SRA]

AJAY KUMAR BHALLA, Home Secy.