The Jammu and Kashmir Immovable Properties Requisitioning Orders (Validation) Act, 1952

Act 5 of 1952

Keyword(s):
Property, Award, Landlord, Person Interested
THE IMMOVABLE PROPERTIES REQUISITIONING ORDERS (VALIDATION) ACT, 2009 (1952 A. D.)

Act No. V of 2009

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Preamble.

Section.

1. Short title, extent and commencement.


Whereas under rule 59-A of the Jammu and Kashmir Defence Rules, as continued in
course by the Emergency Provisions (Continuance) Ordinance, 2003, the District
Magistrates, Jammu and Kashmir, were delegated powers by the Government to
requisition immovable property for the accommodation of Government officials; And
whereas the said District Magistrates, bona fide believing that they had such powers,
requisitioned immovable property for the use of the Indian Armed Forces in the State
within their respective jurisdiction during the period beginning with 1st November, 1947
and ending with 8th December, 1948; And whereas doubts have arisen as to the validity
of the proceedings taken by the District Magistrates of Jammu and Kashmir in connection
with the requisitioning of immovable property for the use of Indian Armed Forces in the
State during the said period; And whereas it is expedient to terminate these doubts and
establish the validity of those proceedings; It is hereby enacted as follows:—

**Short title, extent and commencement.**—(1) This Act may be called the Immovable

(2) It all extend to the whole of the State.

(3) It shall come into force from the date it is published in the Government Gazette.

2. **Validation of certain requisitioning orders issued by the District Magistrates,
Jammu and Kashmir under rule 59-A of the Defence**

**Rules**—No order made by the District Magistrates of Jammu and Kashmir, purporting to
be exercised under rule 59-A of the Jammu and Kashmir Defence Rules, as continued in
force by the Emergency Provisions (Continuance) Ordinance, 2003, for requisitioning of
immovable property for the use of the Indian Armed Forces in the State during the period
beginning with 1st November, 1947 and ending with 8th December, 1948, shall be called
in question in any proceedings in any Court on the ground that the District Magistrate
making the order had no jurisdiction to pass such order.