

EXTRAORDINARY

REGD NO. JK-33



THE
JAMMU AND KASHMIR OFFICIAL GAZETTE

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PART III

Laws, Regulations and Rules passed thereunder.

**JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY
SECRETARIAT, JAMMU.**

Under Rule 64 of the Rules of Procedure and Conduct of Business in the Jammu and Kashmir Legislative Assembly, the following Bill together with the Statement of Objects and Reasons, is published in an extraordinary issue of the Official Gazette.

By order of the Hon'ble Speaker.

Sd/-

MANOJ KUMAR PANDIT,
Secretary.

**THE JAMMU AND KASHMIR JAN VISHWAS (AMENDMENT
OF PROVISIONS) BILL, 2026.**

[L. A. Bill No. 1 of 2026.]

A Bill to amend certain enactments of the Union Territory of the Jammu and Kashmir, for decriminalising and rationalizing offences to further enhance trust-based governance for ease of living and doing business.

Be it enacted by the Legislature in the Seventy-seventh Year of the Republic of India as follows :—

1. Short title and commencement.—(1) This Act may be called the Jammu and Kashmir Jan Vishwas (Amendment of Provisions) Act, 2026.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. Amendment of certain enactments.—The provisions stated in column (5) of the enactments mentioned in column (4) of the Schedule appended are hereby amended to the extent and in the manner mentioned in column (6) thereof.

3. Repeal and Savings.—(1) The Jammu and Kashmir Jan Vishwas (Amendment of Provisions) Ordinance, 2025 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the said ordinance shall be deemed to have been done, taken or, as the case may be, issued under the corresponding provisions of the Acts, as amended by this Act.

THE SCHEDULE
(See section 2)

S. No.	Year	Act No.	Title	Section	Amendments
1	2	3	4	5	6
1	2000	XX	The Jammu and Kashmir Municipal Act, 2000	<p>152. Penalty for selling sub-standard food or drinks</p> <p>153. Soliciting alms.</p> <p>221. Regulation of felling of trees within municipal limits.</p>	<p>In section 152, for the words, “shall be punishable with fine which may extend to two thousand rupees” the words, “shall be punishable with fine which shall not be less than fifty thousand rupees” shall be substituted.</p> <p>Omission of section 153.—Section 153 shall be omitted. (the Jammu and Kashmir Prevention of Beggary Act, 1960 has been struck down by HHC in Suhail Rashid Bhat vs State Of Jammu & Kashmir And Others on 25 October, 2019</p> <p>In section 221, in sub-section (3), in clause (i), for the words, “shall be punishable with imprisonment which may extend to three months or with fine which may extend to one thousand rupees, or with both”, the words, “shall be punishable with fine which shall not be less than five thousand rupees, which may extend to fifteen thousand rupees”, shall be substituted.</p>

2	2010	XX	The Jammu and Kashmir Municipal Ombudsman Act, 2010	17. Penalty for malafide complaint.	In section 17 , for the words, “shall be punishable with imprisonment which may extend to one year or fine which may extend to twenty thousand rupees or both”, the words, “shall be punishable with fine not less than fifty thousand rupees, but may extend to one lakh rupees”, shall be substituted.
3	1970	XIX	The Jammu and Kashmir Development Act, 1970	22-AV. Penalty for Obstruction of Entry of an Authorized Person. 22-AW. Penalty for Obstruction or Molestation of any Person with whom the Corporation has entered into Contract.	In section 22AV,- for the words, “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” the words, “ be punished with fine not less than twenty five thousand rupees, which may extend to fifty thousand rupees” shall be substituted. In section 22AW,- for the words, “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” the words, “be

				<p>punished with fine not less than ten thousand rupees, which may extend to twenty thousand rupees” shall be substituted.</p> <p>22-AX. Penalty for Removal of any Mark. In section 22AX,– for the words, “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” the words, “be punished with fine not less than ten thousand rupees, which may extend to twenty thousand rupees” shall be substituted.</p> <p>24. Penalties. In section 24, in sub-section (3),-- for the words, “shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both”, the words, “ shall be punishable with fine not less than twenty five thousand rupees, which may extend to fifty thousand rupees”, shall be substituted.</p>
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4	1963	XX	The Jammu and Kashmir State Town Planning Act, 1963	12. Penalties.	In section 12,-- for the words, "One thousand rupees" and " fifty rupees" , the words, " five thousand rupees", and "five hundred rupees" shall respectively be substituted.
5	2007	XII	The Jammu and Kashmir Non-Bio-degradable Material (Management, Handling and Disposal) Act, 2007	10. Penalties	<p>In section 10.—</p> <p>i. In sub-section (1), for the words, " shall be punishable with imprisonment for a term which may extend to one month or with fine which may extend to Rs. 50,000/- or with both", the words, "shall be punishable with fine which may extend to five lakh rupees, but shall not be less than five thousand rupees".</p> <p>ii. In sub-section (2), for the words, " shall be punishable for the second or subsequent offence for a term of imprisonment which may extend up to two months and shall also be liable to fine which may not less than Rs. 10,000/" the words, "shall be punishable for the second or subsequent offence with fine which may extend to ten</p>

				<p>12. Offences to be tried summarily.</p>	<p>lakh rupees, but shall be less than ten thousand rupees” shall be substituted.</p> <p>For section 12, substitute the following.</p> <p>“12. Adjudicating Officer.</p> <p>1. The Government, for the purposes of determining the penalties under section 10 shall appoint an officer not below the rank of Additional Secretary to the Government, to be the Adjudicating Officer, to hold an inquiry and to impose the penalty in the manner, as may be prescribed;</p> <p>2. The Adjudicating Officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for or relevant to the subject matter of the inquiry and if, on such inquiry, he is satisfied that the</p>
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					<p>person concerned has contravened the provisions of this Act, he may determine such penalty as he thinks fit under the provisions of section 10, as the case may be :</p> <p>Provided that no such penalty shall be imposed without giving the person concerned a reasonable opportunity of being heard.</p> <p>12-A. Appeal.</p> <ol style="list-style-type: none"> 1. If any person is aggrieved by the order passed by the Adjudicating officer, he may prefer an appeal to the Administrative Secretary, Department of Forest, Ecology and Environment. 2. Every appeal shall be filed within sixty days from the date on which the copy of the order made by the adjudicating officer is received by the aggrieved person. 3. The Appellate Authority may, after giving the parties to the appeal an opportunity of
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					<p>being heard, pass such order as it thinks fit, confirming, modifying or setting aside the order appealed against.</p> <p>4. Where an appeal is preferred against any order of the Adjudicating Officer, it shall not be entertained by the Appellate Authority unless the person has deposited with the Authority ten percent of the amount of the penalty imposed by the Adjudicating Officer.”</p>
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STATEMENT OF OBJECTS AND REASONS

In order to align the legal framework of the Union Territory of Jammu and Kashmir with the national initiative on decriminalization of minor offences viz. the Jan Vishwas (Amendment of Provisions) Act, 2023 enacted by the Parliament, the Jammu and Kashmir Jan Vishwas (Amendment of Provisions) Ordinance, 2025 (Ordinance No. 1 of 2025) was promulgated by the Hon'ble Lieutenant Governor on 16th of December, 2025 in terms of section 52 of the Jammu and Kashmir Reorganisation Act, 2019 to achieve the object of Ease of Doing Business and Ease of Living.

Section 52 (2)(a) of the J&K Reorganisation Act, 2019 with deals with Promulgation of Ordinance by the Lieutenant Governor also provides that 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 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. The Assembly session is likely to commence w.e.f. 02-02-2026; as such the Ordinance will expire at the expiration of six weeks from the re-assembly. Therefore, it is expedient to replace the said Ordinance by an Act of the Legislature.

Hence, the Bill is intended to replace the said Ordinance by an Act of the Legislature.

MINISTER IN-CHARGE
DEPARTMENT OF LAW, JUSTICE AND PA.

STATEMENT NECESSITATING PROMULGATION OF
ORDINANCE

In order to align the legal framework of the Union Territory of Jammu and Kashmir with the national initiative on decriminalization of minor offences viz. the Jan Vishwas (Amendment of Provisions) Act, 2023 enacted by the Parliament and to ensure the compliance of BRAP agenda, the Jammu and Kashmir Jan Vishwas (Amendment of Provisions) Ordinance, 2025 (Ordinance No. 1 of 2025) was promulgated by the Hon'ble Lieutenant Governor on 16th of December, 2025 in terms of section 52 of the Jammu and Kashmir Reorganisation Act, 2019 to achieve the object of Ease of Doing Business and Ease of Living.

The Compliance of the issue was regularly being monitored by Government of India under the agenda Business Reform Action Plan (BRAP). Therefore, Ordinance was promulgated in view of the fact that the Legislature was not in session and the circumstances existed which rendered it necessary to promulgate Ordinance and ensure compliance of the object of Ease of Doing Business and Ease of Living.

MINISTER IN-CHARGE
DEPARTMENT OF LAW, JUSTICE AND PA.