

The Immovable Properties Requisitioning Orders (Validation) Act, 2009 (1952 A.D.)

JAMMU & KASHMIR

India

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Rule

THE-IMMOVABLE-PROPERTIES-REQUISITIONING-ORDERS-VALIDATION ACT, 2009 (1952 A.D.)

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The Immovable Properties Requisitioning Orders (Validation) Act, 2009 (1952 A.D.) Act No. 5 of Svt. 2009 (Received the assent of Shree Yuvaraj on 8th July, 1952 and published in the Government Gazette dated 25th Sawan, 2009.) An Act to validate requisitioning of certain immovable properties under the Jammu and Kashmir Defence Rules. Whereas under rule 59-A of the Jammu and Kashmir Defence Rules, as continued in force 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 to establish the validity of those proceedings ; It is hereby enacted as follows

1. Sort title, extent and commencement.

(1) This Act may be called the Immovable Properties Requisitioning Orders (Validation) Act, 2009. (2) It shall 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.