

EXTRAORDINARY

REGD. NO. JK-33



**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Mon., the 1st Oct., 2018/9th Asv., 1940. [No. 26-3

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART III**

**Laws, Regulations and Rules passed thereunder.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—DEPARTMENT OF LAW, JUSTICE AND  
PARLIAMENTARY AFFAIRS  
(Legislation Section)

Srinagar, the 1st October, 2018.

The following Act has been assented to by the Governor on  
1st October, 2018 and is hereby published for general information :—

**THE JAMMU AND KASHMIR ARBITRATION AND  
CONCILIATION (AMENDMENT) ACT, 2018**

(Governor Act No. XVIII of 2018)

[1st October, 2018.]

Enacted by the Governor in the Sixty-ninth Year of the Republic of  
India.

An Act to amend the Jammu and Kashmir Arbitration and Conciliation Act, 1997.

In exercise of the powers vested under Proclamation No. P-1/18 of 2018 dated 20th June, 2018, the Governor is pleased to enact as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Jammu and Kashmir Arbitration and Conciliation (Amendment) Act, 2018.

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

2. *Insertion of section 8-A, section 8-B, Act No. XXXV of 1997.*—In the Jammu and Kashmir Arbitration and Conciliation Act, 1997 (hereinafter referred to as ‘the principal Act’), after section 8, the following sections shall be inserted, namely :—

**“8-A. Power of the court, seized of petitions under sections 9 or 11 of the Act, to refer the dispute to Mediation or Conciliation.—**

(1) If during the pendency of petitions under sections 9 or 11 of the Act, 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) Reference to mediation :

(i) Where a dispute has been referred for resolution by recourse to mediation, the procedure envisaged under Civil Procedure Alternative Dispute Resolution Rules, 2009 shall apply.

(ii) In case of a successful resolution of the dispute, the Mediator shall immediately forward the mediated settlement to the referral court.

(iii) On receipt of the mediated settlement, the referral court shall independently apply its judicial mind

