THE
JAMMU & KASHMIR GOVERNMENT GAZETTE

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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 22nd May, 2018.

The following Ordinance as promulgated by the Governor on 22nd May, 2018 and is hereby published for general information:—

THE JAMMU AND KASHMIR (PREVENTIVE DETENTION LAWS) ORDINANCE, 2018
(Ordinance No. IV of 2018)
[22nd May, 2018.]

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

Whereas, the State Legislature is not in session and the Governor is satisfied that circumstances exist, which render it necessary for him to take immediate action.

Now, therefore, in exercise of the powers conferred by section 91 of the Constitution of Jammu and Kashmir, the Governor is pleased to promulgate the following Ordinance:—

Preliminary

1. **Short title and commencement**.—(1) This Ordinance may be called the Jammu and Kashmir (Preventive Detention Laws) Ordinance, 2018.

2. It shall come into force at once.

**CHAPTER I**

**Amendment to the Jammu and Kashmir Public Safety Act, 1978.**

2. **Amendment of section 14, Act VI of 1978.**—In section 14 of the Jammu and Kashmir Public Safety Act, 1978, sub-section (3) shall be substituted by the following, namely:—

"(3) The Chairman and the other Members of the Board shall be appointed by the Government on the recommendations of the Search-cum-Selection Committee consisting of the following:—

(a) Chief Secretary ....... Chairman

(b) Administrative Secretary, Home Department ....... Member"
(c) Administrative Secretary,
Department of Law, Justice and
Parliamentary Affairs ........ Member:

Provided that no sitting Judge of the High Court or the sitting District and Sessions Judge shall be appointed as Chairman or Member of the Board except in consultation with the Chief Justice of High Court.

CHAPTER II

Amendment to the Jammu and Kashmir Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1988

3. Amendment of section 9, Act XXV of 1988.—In section 9 of the Jammu and Kashmir Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1988, sub-section (3) shall be substituted by the following sections, namely:—

“(3) The Chairman and the other Members of the Board shall be appointed by the Government on the recommendations of the Search-cum-Selection Committee consisting of the following:—

(a) Chief Secretary ......... Chairman
(b) Administrative Secretary,
Home Department......... Member
(c) Administrative Secretary,
Department of Law, Justice and
Parliamentary Affairs ....... Member:

Provided that no sitting Judge of the High Court or the sitting District and Sessions Judge shall be appointed as Chairman or Member of the Board except in consultation with the Chief Justice of High Court.
(4) Nothing in sub-section (3) shall prevent the Government from appointing Chairman and Members of the Advisory Board constituted under section 14 of the Jammu and Kashmir Public Safety Act, 1978 from being appointed as Chairman and Members under section 9 of this Act for discharging functions under the provisions of this Act.”

CHAPTER III

Amendment to the Jammu and Kashmir Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988

4. Amendment of section 9, Act XXIII of 1988.—In section 9 of the Jammu and Kashmir Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988, clause (a) shall be substituted by the following, namely:—

“(a) The Government shall, whenever necessary, constitute an Advisory Board which shall consist of a Chairman and two other persons possessing qualification as specified in section 9 of the Jammu and Kashmir Prevention of Black Marketing and Maintenance of Supplies of Essential Commodities Act, 1988 and in the manner specified in said section.”

GOVERNOR.

(Sd.) ABDUL MAJID BHAT,
Secretary to Government, Department of Law, Justice and Parliamentary Affairs.