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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.

JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY
SECRETARIAT, JAMMU

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

By order of the Hon'ble Speaker.

(Sd.) **M. RAMZAN,**

Secretary.

**THE JAMMU AND KASHMIR PROTECTION OF
HUMAN RIGHTS (AMENDMENT) BILL, 2015.**

[L. A. Bill No. 4 of 2015.]

A Bill to amend the Jammu and Kashmir Protection of Human Rights Act, 1997.

Be it enacted by the Jammu and Kashmir State Legislature in the Sixty-sixth Year of the Republic of India as follows :-

1. *Short title and commencement.*—(1) This Act may be called the Jammu and Kashmir Protection of Human Rights (Amendment) Act, 2015.

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

2. *Amendment of Section 4, Act XV of 1997.*—In section 4 of the Jammu and Kashmir Protection of Human Rights Act, 1997 (hereinafter referred to as ‘the principal Act’), in sub-section (1), after second proviso, the following proviso shall be added, namely :-

“Provided also that in case there is no Leader of Opposition in the Legislative Assembly or the Legislative Council, the leader of the single largest group or party in opposition to the Government in the Legislative Assembly or the Legislative Council, as the case may be, shall be deemed to be a member of the Committee.”

3. *Amendment of Section 6, Act XV of 1997.*— In section 6 of the principal Act,—

- (i) in sub-section (1), for the words “three years” and the words “seventy years”, the words “five years” and the words “seventy five years”, shall respectively be substituted ;

(ii) for sub-section (2), the following shall be substituted, namely :—

“(2) A person appointed as a Member shall hold office for a term of five years from the date on which he enters upon his office or until he attains the age of seventy five years, whichever is earlier.”

STATEMENT OF OBJECTS AND REASONS

All the positions of Chairperson and Members in the State Human Rights Commission are vacant. The eligibility for appointment of Chairperson is that he should have been Judge of High Court and should not be more than 70 years of age. At present very few number of retired Judges fulfilling such criteria are available. Accordingly, a Draft Bill has been prepared to provide for treating the leader of single largest group or party in opposition to the Government as a Member of the Committee in case there is no recognized Leader of Opposition in the Legislative Assembly or the Legislative Council, as the case may be, and increasing the term of Chairperson and Members of the Commission from 3 years to 5 years and the upper age limit for eligibility from 70 years to 75 years.

Hence the Bill.

**MINISTER FOR LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS.**