THE JAMMU AND KASHMIR STATE BUILDINGS ACT, SVT. 1976 (1920 A.D.)

Notification No. 19 of 1920, dt. 6th March, 1920

Sanctioned by His Highness the Maharaja Sahib Bahadur vide Chief Minister's Letter No. 16679, dated 31st January, 1920 and published in Ca

lished in Government Gazette dated 10th Chet, 1976]

An Act to provide for the exemption from the operation of Municipal lding Laws of Building Laws of certain buildings and lands which are the property, or the occurrence of the exemption from the operation of the property, or a the occurrence of the occurre in the occupation, of the State, and situate within the limits of a functionality Municipality.

Whereas it is expedient to provide for the exemption from the ration of M.... Whereas it is expedient to provide for the exemption Home which are the exemption of the State, and situate with the are the exemption of the State, and situate with the exemption of the state, and sit Which are the property, or in the occupation, of the State, and situate the limit. Within the limits of a Municipality; it is hereby enacted as follows:

Short to

- Short title, extent and commencement
- (1) This Act may be called the State Buildings Act, Syt. 1976.

 (2) It extend
 - (2) It extends to the whole of Jammu and Kashmir State.
 (3) It shows

In this Act the expression "Municipal authority" includes, a Munic Committee or a large in force. 2, "Municipal Authority" defined

Winder the provisions of, any law or enactment for Municipal Law to regular to the provisions of the p Remption of certain State buildings from Municipal Law to Nov. Exemption of certain State buildings from Municipal Law to the buildings from Municipal Commissioners and the buildings from Municipal Law to the b

Nothing contained in any law or enactment for in alteration, alteration, or the needs of regulate the Nothing contained in any law or enactment for the alteration of any Municipality, shall alternance of buildings within Municipality, shall be regulated the erection, re-erection, construction, any Municipality, any buildings within Municipality and alternation of any Municipality, shall be regulated the erection, re-erection, construction, state, buildings within Municipalities. Nothing of certain State buildings for Nothing Nothing of buildings within Municipalities of buildings within Municipalities Duildings within Municipality, shall alteration, depoly to any buildings within the limits of any building the name of buildings within the public by buildings within the public service of the publi alintenance of buildings within the limits of any Municipality, snar, bublic purpose which it is any or enacted for the public service or for any building used or required for the public service or in the occupation, or in the occupation or in the occupation. publy to any buildings within the limits of any Municoparty or for any or buildings within the limits of any building used or required for the public service of the state, or which is to be a which is the property, or in the property or in the property or in the property or in the property. or buildings within the name of the public served the standard public purpose which is the property, or in the property, or in the property, or in the property of the property, or in the property parties at the pro

Provided that, where the erection, re-erection, aforesaid (not be lidding as a plan or construction) to be terial structural alteration, of any such building the plan or to be trong of wh: occupation, of the State: rerial structural alteration, of any such building as the plan of the public works which ought in the public of the public date of the public date of the public date. that, where the erection, re-erecusers aforesmucconstruction of any such building as the plan or to be the of which ought, in the opinion of the Public Works as confidential the ated as confidential or secret), is contemplated, reasonable notice of as confidential or secret), is contemplated.

the proposed work shall be given to the Municipal authority before it is commenced:

Provided further that clause 4 of the rules relating to construction of buildings in the restricted area of Srinagar sanctioned by His Highness (vide No. 4/C.O., dated the 17th January, 1915) shall also mutatis mutandis apply to any such building as aforesaid.

¹Explanation.— The reference required to be made to the Resident in Kashmir under the rules mentioned in the last foregoing proviso shall be made by Public Works Minister.

4. Objections or suggestions as to erection, etc. of certain State

- buildings within Municipalities how to be made and dealt with (1) In the case of any such building as is mentioned in the last preceding section (not being a building connected with State defence, or a building the plant of the a building the plan or construction of which ought, in the opinion of the Public Works Minister to be treated as confidential or secret), the Municipal authority Municipal authority, or any person authorised by it in this behalf, may, with the permission of the pe with the permission of the Public Works Minister, inspect the land and building and all plans the Public Works Minister, inspect the land and building and all plans connected with its erection, re-erection, construction or material standard may tion or material structural alteration, as the case may be, and may submit to the Public West attention, as the case may be, and may submit to the Public Works Minister a statement in writing of any objections or suggestion. objections or suggestions which such Municipal authority may deem fit to make with reference to to make with reference to such erection, re-erection, construction, or material structural alternation material structural alteration.
- (2) Every objection or suggestion submitted as aforesaid shall be sidered by the Public M: considered by the Public Minister, who shall, after such investigation (if any) as he shall think addition (if any) as he shall think advisable, pass orders thereon, and the building referred to therein shall be referred to therein shall be erected, re-erected, constructed, or altered, as the case may be in according to the constructed. as the case may be, in accordance with such order:

Provided that if the Public Works Minister over-rules or disregards such objection or successful. any such objection or suggestion as aforesaid, he shall give his reasons for so doing in writing for so doing in writing.

(3) Every order passed by the Public Works Minister under this ion will be subject to revision section will be subject to revision by ²[the Government] and the decision of the 3 [the Government] thereon shall be final.

Reference to the resident was discontinued by orders of His Highness passed in July, 1927. Substituted by Act VII of 2001 for "I to the Property of His Highness passed in July, 1927. Substituted by Act VII of 2001 for "His Highness".

Substituted by Act VII of 2001 for "His Highness".