

Sections of The Constitution of Jammu and Kashmir

PRELIMINARY

- 1. Short title and commencement
- 2. Definitions

THE STATE

- 3. Relationship of the State with the Union of India
- 4. Territory of the State
- 5. Extent of executive and legislative power of the State

PERMANENT RESIDENTS

- 6. Permanent residents
- 7. Constitution of references to State Subjects in existing laws
- 8. Legislature to define permanent residents
- 9. Special provision for Bill relating to permanent residents
- 10. Rights of the permanent residents

DIRECTIVE PRINCIPLES OF STATE POLICY

- 11. Definition
- 12. Application of the principles contained in this part
- 13. State to establish a socialist order of society for the promotion of welfare of the people
- 14. Economy of the State to be developed in a planned manner
- 15. State to ensure speedy improvement in standard of living of rural masses
- 16. Organisation of village Panchayats
- 17. State to take certain steps for promoting crafts and cottage industries
- 18. Separation of judiciary from executive
- 19. Right to work and to public assistance in certain cases
- 20. Rights of free and compulsory education in certain cases
- 21. Rights of children
- 22. Rights of women
- 23. Protection of educational, material and cultural interests of socially and economically backward sections
- 24. Duty of the State to improve public health
- 25. Duty of the State to foster equality and secularism

GOVERNOR

- 26. Head of the State
- 27. Appointment of Governor
- 28. Term of office
- 29. Qualifications for appointment as Governor
- 30. Conditions of office
- 31. Oath of office
- 32. (Omitted)
- 33. Discharge of the functions of the Governor in certain contingencies
- 34. Power to grant pardons; reprieves, etc.

MINISTERS AND ADVOCATE GENERAL

- 35. Council of Ministers to aid and advise the Governor
- 36. Appointment of Ministers
- 37. Minister's responsibility to the Legislature
- 38. Deputy Ministers

- 39. Tenure of office
- 40. Oath of office and secrecy
- 41. Salaries and allowances of Ministers and Deputy Ministers
- 42. Advocate General for the State
- 43. Rules of business
- 44. Duties of Chief Minister
- 45. Form of orders and instruments and their authentication

STATE LEGISLATURE

- 46. Legislature for the State
- 47. Composition of Legislative Assembly
- 48. Provision relating to Pakistan occupied territory
- 48A. Holding of general election in the event of earlier dissolution of Legislative Assembly
- 49. Reservation of seats for Scheduled Castes
- 50. Composition of Legislative Council
- 51. Qualification of membership of the Legislature
- 52. Duration of Legislature
- 53. Sessions of the Legislature, prorogation and dissolution
- 54. Right of Governor to address and send messages to the House or Houses
- 55. Special address by the Governor
- 56. Rights of Ministers and Advocate General as respects the Houses
- 57. The Speaker and Deputy Speaker of the Legislative Assembly
- 58. Vacation and resignation of, and removal from, the offices of the Speaker and Deputy Speaker
- 59. Power of the Deputy Speaker or ether person to perform the duties of the office of or to act as Speaker
- 60. The Speaker and the Deputy Speaker not to preside while a resolution for his removal from office is under consideration
- 61. The Chairman and Deputy Chairman of the Legislative Council
- 62. Salaries and allowances of the Speaker and Deputy Speaker and the Chairman and the Deputy Chairman
- 63. Secretariat of the Legislature
- 64. Oath or affirmation by members
- 65. Quorum

- 66. Power of Houses to act notwithstanding vacancies
- 67. Voting in the Houses
- 58. Vacation of sears
- 69. Disqualification for membership
- 70. Decision on questions as to disqualification of members
- 71. Penalty for sitting and voting before taking oath or affirmation when not qualified or when disqualified
- 72. Powers, privileges, etc. of the Houses of Legislature and of the members and committees thereof
- 73. Salaries and allowances of members
- 74. Provisions as to introduction and passing of Bills
- 75. Restriction on powers of Legislative Council as to Bills other than Money Bills
- 76. Special Procedure in respect of Money Bills
- 77. Definition of "Money Bills"
- 78. Assent to Bills
- 79. Annual Financial Statement
- 80. Procedure in Legislature with respect to estimates
- 81. Appropriation Bills
- 82. Supplementary, additional or excess grants
- 83. Votes on account, votes of credit and exceptional grants
- 84. Special provisions as to Financial Bills
- 85. Rules of procedure
- 86. Regulation by law of procedure in the Legislature in relation to financial business
- 87. Language to be used in the Legislature
- 88. Restriction on discussion in the Legislature
- 89. Courts not to inquire into proceedings of the Legislature
- 90. Requirements as to recommendations regarded as matters of procedure only
- 91. Power of Governor to promulgate ordinances during recess of Legislature
- 92. Provisions in case of failure of Constitutional machinery in the State

HIGH COURT

93. Constitution of High Court

- 94. High Court to be a Court of Record
- 95. Appointment and tenure of office of judges
- 96. Qualifications for appointment
- 97. Oath or affirmation by judges of the High Court
- 98. Salaries, etc. of judges
- 99. Resignation or removal of a Judge of High Court
- 100. Appointment of acting judges
- 100A. Appointment of additional and acting judges
- 100B. Appointment of retired judges at sitting of the High Court
- 101. Place of sitting of the Court
- 102. Saving of existing jurisdiction of the High Court
- 103. Power to issue certain writs
- 104. Superintendence and control of subordinate courts
- 105. Transfer of cases to High Court
- 106. [Omitted]
- 107. Seal of the High Court
- 108. Officers and servants of the High Court

SUBORDINATE COURTS

- 109. Appointment of District Judges
- 109A. Validation of postings and transfers of, and judgments, etc., delivered by certain District Judges
- 110. Recruitment of persons other than District Judges to the Judicial Service
- 111. Control over subordinate courts
- 112. Interpretation
- 113. Application of the provisions of this part to certain class or classes of Magistrates

FINANCE, PROPERTY AND CONTRACTS

- 114. Taxes not to be imposed save by authority of law
- 115. Consolidated Fund and Public Account
- 116. Contingency Fund
- 117. Expenditure defrayable by the State out of its revenues
- 118. Custody, etc. of Consolidated Fund, Contingency Fund and moneys

- credited to the public account
- 119. Custody of suitor's deposit and other moneys received by public servants and courts.
- 120. Property accruing by escheat or lapse or as bona vacantia
- 121. Power to carry on trade, etc.
- 122. Contracts
- 123. Suits and proceedings

Public Services

- 124. Recruitment and conditions of service of persons serving the State
- 125. Tenure of office of persons serving the State
- 126. Dismissal, reduction or removal of persons employed in civil capacities under the State
- 127. Transitional provisions

Public Service Commission

- 128. Public Service Commission for the State
- 129. Appointment and term of office of members
- 130. Removal and suspension of a member of the Commission
- 131. Power to make regulations as to conditions of service of members and staff of the Commission
- 132. Prohibition as to the holding of offices by members of the Commission on ceasing to be such members
- 133. Functions of the Commission
- 134. Acting appointment of Chairman of the Commission
- 135. Power to extend functions of the Commission
- 136. Expenses of the Commission
- 137. Reports of the Commission

ELECTIONS

- 138. Superintendence, direction and control of elections
- 139. No person to be ineligible for inclusion in electoral roll on grounds of religion, race, castes or sex

- 140. Elections to the Legislative Assembly to be on the basis of adult suffrage
- 141. Power of Legislature to make provision with respect to elections to Legislature
- 142. Bar to interference by Courts in electoral matters

MISCELLANEOUS PROVISIONS

- 143. Protection of Governor
- 143A. Disqualification for appointment on remunerative political post
- 144. Flag of the State
- 145. Official language of the State
- 146. Academy for development of Art, Culture and Languages

AMENDMENT OF THE CONSTITUTION

147. Amendment of the Constitution

TRANSITIONAL PROVISIONS

- 148. [Omitted]
- 149. [Omitted]
- 150. [Omitted]
- 151. [Omitted]
- 152. [Omitted]
- 153. Provisions as to Judges of High Court
- 154. Courts, authorities and officers to continue to function subject to the provisions of the Constitution
- 155. Moneys received or raised or expenditure incurred between the commencement of the Constitution and the 31st day of March, 1957
- 156. Power of "Sadar-i-Riyasat" to remove difficulties
- 157. Repeal and saving of laws and rules
- 158. Interpretation