
**GIFT GOODS (UNLAWFUL POSSESSION)
ACT, 1963**

(Act No. XL of 1963)

**THE JAMMU AND KASHMIR GIFT GOODS (UNLAWFUL
POSSESSION) ACT, 1963**

(Act No. XL of 1963)

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THE JAMMU AND KASHMIR GIFT GOODS (UNLAWFUL POSSESSION) ACT, 1963**(Act No. XL of 1963)**

[Received the assent of the Sadar-i-Riyasat on 16th October, 1963 and published in Government Gazette dated 17th October, 1963.]

An Act to provide for the punishment of the offence of unlawful possession of gift goods supplied by certain relief organisations.

Be it enacted by the Jammu and Kashmir State Legislature in the Fourteenth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*— This Act may be called the Jammu and Kashmir Gift Goods (Unlawful Possession) Act, 1963.

(2) It extends to ¹ [the whole of the Union territory of Jammu and Kashmir].

(3) It shall come into force at once.

2. *Definitions.*— In this Act, unless the context otherwise requires,—

(a) “gift goods” means any of the following goods namely,—

(i) cornmeal ;

(ii) milk powder ;

(iii) vegetable oil (soya bean oil or sunflower seed oil) supplied by way of gift, by any relief organisation to any State Government or to the Central Government or to any other person on behalf of such Government ;

(b) “relief organisation” means any organisation specified in the Schedule to this Act.

3. *Unlawful possession of gift goods.*— If any person is found or is proved to have been in possession of any gift goods reasonably suspected of being stolen or unlawfully obtained and cannot account satisfactorily how he came by the same,

1. Substituted by S.O 1229 (E) dated 31.03.2020 for “the whole State”.

he shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both.

4. *Offences under this Act to be cognizable.* —(1) Notwithstanding anything contained in ¹[the Code of Criminal Procedure, 1973 (2 of 1974)], any offence under this Act shall be deemed to be cognizable offence within the meaning of that Code.

(2) No Court below a ²[Judicial Magistrate] of the first class shall try any offence under this Act.

5. *Power to amend Schedule.*— The Government may, by notification, add any organisation to or omit any organisation from, the Schedule and on the publication of such notification, such organisation shall be deemed to be included in or, as the case may be, omitted from the Schedule.

THE SCHEDULE

[See section 2 (b)]

1. United Nation International Children Emergency Fund (UNICEF).
2. Co-operative for American Relief Everywhere (CARE)
3. Church World Service.
4. Lutheran World Relief.
5. Catholic Relief Service.

1. Substituted by S.O. 1229 (E) dated 31.03.2020 for “the Code of Criminal Procedure, Samvat 1989”.

2. Substituted by Act XL of 1966.