

**AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR  
LAW AND PARLIMENTARY AFFAIRS SECTRETARIAT,  
MUZAFFARABAD.**

Muzaffarabad the May 10, 1975.

No. 1769/SL/75. The following Ordinance made by the President on 10-5-1975, is hereby published for general information

**(ORDINANCE NO. XVI OF 1975)**

WHEREAS due to unjustified confusion still persisting as to whether the President, the Speaker and the Ministers could without vacating their offices file their nomination papers or being in office could content the elections has been necessary to remove all such doubts;

AND WHEREAS the Legislative Assembly power has been expressly reserved In the Second Schedule of the Azad Jammu and Kashmir Interim Constitution Act, 1975, that by mans of an Act of the Assembly persons can be rendered immune from disqualification to offer themselves for election a member of the Assembly;

AND WHEREAS the President at is empowered under Section 41 of the Azad Jammu and Kashmir Interim Constitution Act 1974 to make and promulgate Ordinance, if satisfied that circumstances exist which render it necessary to take immediate action and such as Ordinance when promulgated shall have the same force and effect as an Act of the Assembly;

AND WHEREAS the Legislative Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW THEREFORE , in exercise of the powers conferred by Section 41, of the Azad Jammu and Kashmir Interim Constitution Act, 1974, the President is pleased to make and promulgate the following Ordinance:-

1. **Short title and commencement:-** (1) This Ordinance may be called the Azad Jammu and Kashmir Removal of Doubts (Disqualification of certain specified office holders from being elected in the forthcoming election) Ordinance, 1975.  
(2) It shall come into force at once and shall be deemed to have taken effect on and from the 16th day of April, 1973.
2. **Definition:-** (1) In this Ordinance, unless there is anything repugnant in the subject or context:-

- (a) 'Minister' means Minister appointed under the provision 1974 and Act, 1970;
  - (b) 'President' means the President of Azad Government of the State of Jammu and Kashmir.
- (2) All words and expressions used in this Ordinance but not defined have the same meaning as in the Interim Constitution Act, 1975.
3. Notwithstanding anything contained in any other law for the time being in force, a person shall not be disqualified to be elected as and to be a member of the Assembly if he holds any of the following offices :-
- (i) the office of President;
  - (ii) the office of Prime Minister;
  - (iii) the office of Speaker;
  - (iv) the office of Minister;
  - (v) any office the holder whereof, by virtue of holding such office is liable to be called up for military training or military service under any law providing for the constitution or raising of a force.