

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

Dated the September 22, 1975

No. 2874/SL/75. The following Ordinance made by the President on the 22nd of September, 1975, is hereby published for general information :-

(ORDINANCE XXXI OF 1975)

AN ORDINANCE to provide for re-adopting and regulating the use of State flag.

WHEREAS it is expedient to provide for re-adopting and regulating the use of the State flag, in the manner hereinafter appearing;

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

NOW, THEREFORE in exercise of the powers conferred by Section 41 of the Azad Jammu and Kashmir Interim constitution Act, 1974, the President Azad Jammu and Kashmir 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 State Flag Ordinance, 1975.
 - (2) It extends to the whole of Azad Jammu and Kashmir territory and shall apply to all the State Subjects of Jammu and Kashmir wherever they may be.
 - (3) It shall come into force with effect from the commencing day.
2. **Definitions:-** In this Ordinance, unless there is anything repugnant in the subject or context:-
 - (a) 'Government' means the Azad Government of the State of Jammu and Kashmir;
 - (b) 'State Flag' means the flag which was in use as the flag of Azad Jammu and Kashmir in the period commencing immediately after the setting up of the Azad Government of the state of Jammu and Kashmir in the year 1947 and ending with the twenty third day of August, 1971, as specified in the schedule of this Ordinance;

- (c) 'Commencing day' means the day fixed by the Government by notification in the Government Gazette for coming into force of this Ordinance.
 - (d) 'person' includes any body politic or corporate;
 - (e) 'prescribed' means as prescribed by rules made under Section 7 of this Ordinance.
3. **Re-adoption of State flag:-** (1) The State flag shall be readopted as the flag of Azad Jammu and Kashmir with effect from the commencing day and shall continue to be used as such till the accession of the State of Jammu and Kashmir to Pakistan.
- (2) The State flag shall be given due respect by the Government and the state subjects wherever they may be as the symbol of freedom movement of the people of Jammu and Kashmir.
4. **Use of State flag:-** (1) The manner in which the State flag will be used and the Persons entitled to the use of the State flag shall be such as may be prescribed.
- (2) The State flag shall not be hoisted or used except as provided in sub-section (1) of this section.
5. **Bar on use of the discarded flag:-** (1) The flag being used as the flag of Azad Jammu and Kashmir immediately before the commencing day shall stand discarded from the commencing day and all such flags shall be deposited with the Government which will arrange for their preservation.
- (2) No person shall use the flag so discarded or any flag of that design for any purpose whatsoever.
6. **Forfeiture and punishment:-** (1) Any person who contravenes the provisions of this ordinance or abets such contravention shall be punished with simple imprisonment which may extend to three months or with fine contravention of these provisions may be seized by the police officer not below the rank of sub-inspector and shall be forfeited to the state.
- (2) The offences under this Ordinance shall be cognizable and non bailable and shall be triable by a Magistrate of the First Class.
7. **Rules:-** The Government may make rules for carrying out the purposes of this Ordinance.

SCHEDULE

- (a) Three fourth green background representing the seventy five percent Muslim population of the State of Jammu and Kashmir.
- (b) One fourth Orange (Gold) color represents the twenty-five percent minorities of the State of Jammu and Kashmir.
- (c) The green stripes represent the valley of the State.
- (d) the white stripes respect the snow cover mountains of the state.
- (e) The crescent is the usual semblance of Jammu and Kashmir State.

Sd/-
(Sardar Mohammad Ibrahim Khan)
President
Azad Jammu and Kashmir

Sd/-
(Mohammad Akram Shah)
Deputy Secretary Law
Law & Parliamentary Affairs Sectt.
Azad Government of the State of J&K

