

**THE AZAD GOVT. OF THE STATE OF JAMMU & KASHMIR,
LAW & PARLIAMENTARY AFFAIRS SECRETARIAT,
MUZAFFARABAD.**

Dated the 20th March, 1978.

No. 964/SL/78. The following Ordinance made by the President on the 20th day of March, 1978, is hereby published for general information:-

(ORDINANCE NO. XII, OF 1978)

AN

ORDINANCE

to amend the Holders of Representative Offices (Disqualification) Ordinance, 1978

WHEREAS it is expedient to amend the Holders of Representative Offices (Disqualification) Ordinance, 1978 (Ordinance No. IX of 1978) for the purposes hereinafter; appearing;

AND WHEREAS the President is satisfied that circumstances exist which render it necessary to take immediate action:

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

1. **Short title and commencement.**- (1) This Ordinance may be called the Holders of Representative Offices (Disqualification) (Amendment) Ordinance, 1978.
(2) It shall come into force at once and shall be deemed to have taken effect on and from the thirteenth day of March, 1978.
2. **Amendment of Section 2, Ordinance IX of 1978** .- In the Holders of Representative Offices (Disqualification) Ordinance, 1978 (Ordinance IX of 1978), hereinafter referred to as the said Ordinance, in Section 2, in clause (g) in sub-clause (ii), in the proviso, between the words "Assembly" and "which" the Words " held in the year, 1975 or" shall be

inserted,

3. **Amendment of Section 5, Ordinance IX of 1978.-** In the said Ordinance, in Section 5, in sub-section (3), after the word "document", at the end, the words "and to consolidate more one references made to it in respect of the same person" shall be added.
4. **Amendment of Section 6, Ordinance IX of 1978.-** In the said Ordinance, in Section 6,-
 - (a) after sub-section (2), the following new sub-section be inserted, namely:-

"(2-A) A respondent may be found guilty of misconduct by the Disqualification Tribunal on anyone or more the charges proved against him."
 - (b) after sub-section (4), the following new sub-section shall be added, namely,-

"(5) Any person who contravenes, or abets the contravention of the provision of sub-section (4) shall be punishable with rigorous imprisonment for a term which may extend to two years and with fine which may extend to five thousand rupees."

5. Insertion of Section 6- A, Ordinance IX of 1978.- In the said Ordinance, after Section 6, the following new Section shall be inserted, namely,-

"6-A. Cognizance of offence - (1) No Court shall cognizance of an offence punishable under this Ordinance except upon a complaint in writing made by a Police Officer.

(2) The offences under this Ordinance shall be cognizable and non bail able.

(Mohammad Ibrahim Khan)
President
Azad Jammu and Kashmir

Sd/- (Sardar Aftab Ahmed Khan)
Secretary Law