

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

Muzaffarabad the 8th of March, 1975.

No. 592/SL/75. The following Ordinance made by the President on the 6th March, 1975 is hereby published for General Information:-

(ORDINANCE III OF 1975)

WHEREAS it is settled practice governing conduct of affairs of democracy that the Members of Executive in offices without resigning their office offer themselves in election to a seat in the forthcoming Assembly election;

AND WHEREAS doubts have arisen, whether or not the President, the Prime Minister, Speaker, Ministers and Advisers and without vacating their offices offer themselves to be elected as members of the Assembly;

AND WHEREAS the Legislative power has been expressly reserved in the second schedule of the Azad Jammu and Kashmir Interim Constitution Act, 1974, that by means of an Act of the Assembly persons can be rendered immune from disqualifications to offer themselves for election as members of the Assembly;

AND WHEREAS the President 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 on such 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 the 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 Removal of Doubts (Disqualification of certain specified Office Holders from being elected in the forth-coming Election) Ordinance, 1975.
(2) It shall come into force at once.
2. **Definitions:-** (1) In this Ordinance, unless there is anything

repugnant in the subject or context:-

- (a) 'Adviser' means adviser to the president, adviser to the prime Minister and Includes Plebiscite Adviser.
 - (b) 'Minister' means Minister appointed under the provisions of the constitution, 1974 and Act, 1970.
 - (c) President means the president of Azad Government of the State of Jammu and Kashmir.
 - (d) 'Prime Minister' means the Prime Minister or Azad 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, 1974.
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 or Prime Minister;
 - (iii) the office of Speaker;
 - (iv) the office of Adviser to the Prime Minister;
 - (v) the office of adviser to the president;
 - (vi) the office of plebiscite Adviser;
 - (vii) 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 of raising of a force.
 - (viii) The office of minister.

Sd/-
(Sardar Mohammad Abdul Qayyum Khan)
President
Azad Government of the state of J&K

Sd/-
(Sardar Mohammad Sharif Khan)
Secretary Law & Parliamentary Affairs Secretariat
Azad Government of the state of J&K