

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

Dated the September 2, 1978.

No. 3105/SL/78. The following Ordinance made by the President on the 11th day of September, 1978, is hereby published for general information:-

(ORDINANCE LXVII OF 1978)

AN

ORDINANCE

further to amend the Waqf Properties Act, 1960

WHEREAS it is expedient further to amend the Waqf Properties Act, 1960 (Act IX of 1960) 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 (1) of 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 Waqf Properties (Amendment) Ordinance, 1978.

(2) It shall come into force at once and shall be deemed to have taken effect from 11th day of May, 1978.

2. **Insertion of new Section 13-A, Act IX of 1960.**- In the Azad Jammu and Kashmir Waqf Properties Act, 1960 (Act IX of 1960), after Section 13, the following new Section shall be inserted, namely :-

"13-A. (1) If on the scrutiny of record and after such inquiry as it may consider necessary, the Government is satisfied that any payment made to any person out of the Auqaf Fund during the period from 1st January, 1970, to 11th August, 1977 was made for any purpose not connected with the objects of the Waqf Properties Act, 1960 or because of the political affiliation of such

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person, the Government or an officer authorised by it in this behalf, by notice in writing, require such person to refund the amount of such payment to the Government within such time as may be specified in the notice.

(2) Any amount not paid within the period specified in the notice issued under sub-section (1) shall, without prejudice to any other mode of recovery under any law, be recoverable as an arrear of land revenue.

3. **Repeal.**- The Waqf Properties (Amendment) Ordinance, 1978, (Ordinance XXXV of 1978) is hereby repealed.

(Mohammad Ibrahim Khan)
President,
Azad Jammu & Kashmir.

Sd/- (Sardar Aftab Ahmed Khan)
Secretary Law.