

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

Dated the September 16, 1980.

No. 5314/LD/80. The following Ordinance made by the President on the 16th day of September, 1980, is hereby published for general information:-

(ORDINANCE CLVII OF 1980)

AN

ORDINANCE

to make provisions for the Constitution of the Azad Jammu and Kashmir Advisory Council

WHEREAS it is expedient to make provisions for the Constitution of the Azad Jammu and Kashmir Advisory Council 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, extent and Commencement.**- (1) This Ordinance may be called the Azad Jammu and Kashmir Advisory Council Ordinance, 1980.
 - (2) It extends to the whole of Azad Jammu and Kashmir.
 - (3) It shall come into force at once.
2. **Definitions.** - In this Ordinance, unless there is anything repugnant to the subject or context,-
 - (a) 'Advisory Council' means the Azad Jammu and Kashmir Advisory Council Constituted under this Ordinance;
 - (b) 'Chairman' means the Chairman of the Azad Jammu and Kashmir Advisory Council;
 - (c) 'Chief Executive' means the Chief Executive of Azad Jammu and Kashmir; and
 - (d) 'Member' means the member of the Azad Jammu and Kashmir Advisory Council.
3. **Composition etc. of the Council.** - (1) There shall be an Advisory Council in Azad Jammu and Kashmir.

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(2) The Advisory Council shall consist of –

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| (i) | Chief Executive | Chairman |
| (ii) | Advisors/Ministers | Member |
| (iii) | Chairman and Vice Chairman District Councils and Chairman Municipal Committees. | Ex-officio Member |
| (iv) | Three members from refugees from the occupied areas of districts of Muzaffarabad, Anantnag (Islamabad) and Baramula as these existed on 14th day of August, 1947, who are now residing in any of the provinces of the Punjab, Baluchistan, Sindh, North-West Frontier Province, Federal Capital and Federally Administered Tribal Areas.- | Member |
| (v) | Three members from such of the State subjects from other parts of the State of Jammu and Kashmir and State subject originally residing in territories under the administration of Azad Government of the State of Jammu and Kashmir as are now residing in the Provinces and the areas referred to in clause | Member |
| (vi) | Such other persons as may be nominated by the Chief Members Executive. | Member |

(3) A member Other than an advisor/Minister may at any time resign from membership by addressing a letter to the Chief Executive and the resignation shall take effect from the date on which it is accepted by the Chief Executive.

(4) A casual vacancy in the office of the member of the Advisory Council may be filled in by the Chief Executive.

4. **Reconstitution and Dissolution of the Advisory Council.**- The Chief Executive may at any time dissolve or reconstitute the Advisory Council.

5. **Functions of the Advisory Council.**- The Advisory Council shall perform such functions as may be assigned to it by the Chief Executive.

6. **Meetings.**- (1) The Advisory Council shall meet as often as necessary but at least once in three months.

(2) The meeting Shall be held on such date and at such place and time as may be fixed by the Chairman.

(3) The meeting shall be presided over by the Chairman.

7. **Notice of the meeting.**- (1) The Secretary of the Advisory Council shall inform the members of the Council of the date,

time and place of the meeting by a notice circulated at least seven days before the meeting.

(2) The notice under sub-section (1) shall be accompanied by an agenda which shall be prepared by the secretary with the approval of the Chairman:

Provided that with the permission of the Chairman supplementary agenda may be circulated to the members at a shorter notice.

8. **Notice of items by members.-** (1) A member may give fifteen days notice for inclusion of an item in the agenda.

(2) The notice under sub-section (1) shall be given in writing addressed to the Secretary of the Advisory Council and signed by the member giving notice and shall be delivered at the Secretariat of the Advisory Council on any working day during the office hours.

9. **Transaction of business.-** The business to be transacted at a meeting shall be taken up in the order in which it is entered in the agenda:

Provided that the Chairman may, for any reason vary such order or bring before the meeting any matter not included in the agenda.

10. **Summoning of persons by the Advisory Council.-** An Officer of the Government or any statutory body set up by the Government may be required by the Chairman to attend the meeting of the Advisory Council or its Committees.

11. **Minutes of meeting.-** The minutes of a meeting shall be drawn up and circulated to all the members as soon as possible after the approval of the Chairman.

12. **Adjournment of the Advisory Council.-** The Chairman may at any time adjourn the meeting.

13. **Appointment of Committees.-** The Chairman may appoint any number of Committees including their Chairman to facilitate the performance of the functions of the Advisory Council and assigned to them such functions as may be determined by the Chairman.

14. **Traveling allowance and Daily Allowance to the Members.-** (1) A member shall be entitled to draw a traveling allowance for a journey performed for the purpose of attending the meeting of the Advisory Council or of a Committee from the place where he ordinarily resides to the place where the meeting of the Advisory Council or of a Committee is held and for the return journey from the last-mentioned place to the first-mentioned place at the

rate admissible to a Government Servant of the First Grade equivalent to NPS 20 under the Azad Jammu and Kashmir Traveling Allowance Rules.

(2) A member shall be entitled to a daily allowance as admissible in accordance with the Azad Jammu and Kashmir Traveling Allowance Rules.

15. **Residuary powers of the Chairman.-** All matters not specifically provided above shall be regulated in such manner as the Chairman may deem fit.
16. The Secretariat of the Legislative Assembly of Azad Jammu and Kashmir will function as the Secretariat of the Advisory Council and the Secretary of the Legislative Assembly of Azad Jammu and Kashmir will act as the Secretary of the Advisory Council.
17. **Power to make rules.-** The Chairman may, by notification in the official Gazette, make rules for carrying-out the purposes of this Ordinance.
18. **Savings.-** Notwithstanding any judgment, decree or order of any court including High Court, every thing done, all actions taken, notification Issued, Orders or appointments made, proceedings initiated, jurisdiction or powers exercised under the provisions of the Azad Jammu and Kashmir Advisory Council Ordinance, 1980 (Ordinance LXXXIII of 1980) or its succeeding Ordinances issued from time to time shall be deemed to have been validly done, taken, issued, made initiated or exercised under this Ordinance.

(Mohammad Hayat Khan)
President
Azad Jammu and Kashmir.

Sd/- (Khalil Ahmed Qureshi)
Secretary Law.