

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

Dated the 28th November, 1979.

No. 5666-68/SL/79. The following Ordinance made by the President on the 28th day of November, 1979, is hereby published for general information:-

(ORDINANCE CLXVII of 1979)

AN

ORDINANCE

to amend the Azad Jammu and Kashmir Local Government Ordinance, 1979

WHEREAS it is expedient to amend the Azad Jammu and Kashmir Local Government Ordinance, 1979 in the manner 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 Azad Jammu and Kashmir Local Government (Amendment) Ordinance, 1979.

(2) It shall come into force at once.

2. **Amendment of Section 25, Ordinance CLVI of 1979.**- In the Azad Jammu and Kashmir Local Government Ordinance, 1979 (Ordinance CLVI of 1979), in Section 25 for sub-section (2), (3) and (4) the following shall be substituted and shall be deemed always to have been so substituted, namely:-

"(2) Government may after giving him an opportunity of being heard, remove a Chairman, vice Chairman or member of a Local Council, from Office if he –

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- (a) incurs any of the disqualifications specified in part II of the second Schedule ;
- (b) absents himself without reasonable cause from three consecutive meeting of the Local Council;
- (c) is guilty of an abuse of power or misconduct in the discharge of his duties as a member or has been responsible for any loss or misappropriation of any money or property of any Local Council, or any local body or other local authority; or
- (d) refuses to take oath.

Explanation.- In this sub-section 'Misconduct' includes bribery, corruption and misappropriation or wilful diversion of funds of the local council or any attempt at, or abetment of such misconduct.

(3) A member or Chairman or Vice-Chairman removed under sub-section (2), may prefer an appeal in the manner prescribed by the officer or authority as may be appointed by the Government.

(4) A Chairman or Vice-Chairman removed from office shall cease to be a member.

(5) No Court shall have jurisdiction to inquire into or question the validity of any thing done, or any order made or passed under this Section.

(Mohammad Hayat Khan)
President,
Azad Jammu and Kashmir.

Sd/- (Syed Mohammad Akram Shah)
Deputy Secretary Law.