

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

Dated the July 19, 1980.

No. 3960/LD/80. The following Ordinance made by the president on the 19th day of July, 1980, is hereby published for general information:-

(ORDINANCE CXXIII OF 1980)

AN

ORDINANCE

to amend the General Clauses Act, 1897

WHEREAS it is expedient to amend the General Clauses Act, 1897, as adapted in Azad Jammu and Kashmir, 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 General Clauses Act (Amendment) Ordinance, 1980.
(2) It shall come into force at once and shall always be deemed to have taken effect from the 11th day of August, 1977
2. **Addition of sub-section (4), section 5.**- In the General Clause Act, 1897, as adapted in Azad Jammu and Kashmir, hereinafter referred to as the said Act, in Section 5, after sub-section (3) the following new sub-section (4) shall be added, namely:-
“(4) Unless the contrary is expressed any ordinance made and promulgated by the President, after 11th day of August, 1977, shall be construed as coming into operation on the day on which it receives the assent of the President
3. **Insertion of Section 6-B, General Clauses Act 1897.**- In the said Act, after Section 6-A the following new section 6-B, shall be inserted, namely:-
“6-B. (1) The provisions of Sections 6 and 6-A, shall apply to all Ordinances made and promulgated by the President at any time after the 11th day of August, 1977, and notwithstanding the repeal of any such Ordinance by operation of sub-section (2) (a) of Section 41 of the

Azad Jammu & Kashmir Interim Constitution Act, 1974 or otherwise, any legal proceeding, investigation remedy in respect of any such right, privilege, obligation liability, penalty forfeiture or punishment shall not be effected.

(2) Any investigation, legal proceeding or remedy may be instituted, continued or enforced and penalty, forfeiture or punishment may be imposed as if the Ordinance had not expired or repealed.

(3) All legal proceedings initiated under any Ordinance after 11th day of August, 1977, which are pending in any Court on the day of promulgation of this Ordinance or those which have been completed shall be deemed to have been validly continued or completed.

(4) No Court including Special Court or Appellate Court thereof shall question the legality or propriety of continuance or completion of such proceeding.

4. **Amendment of Section 30, General Clauses Act, 1897.** – In the said Act, in Section 30, the following words shall be added after the words “Government of India Act, 1935” or an Ordinance made and promulgated by the President of Azad Jammu & Kashmir, under the Azad Jammu & Kashmir Interim Constitution Act, 1974.

(Mohammad Hayat Khan)
President
Azad Jammu & Kashmir

Sd/- (Khalil Ahmed Qureshi)
Secretary Law