

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR  
LAW AND PARLTAMENTARY AFFAIRS DEPARTMENT  
MUZAFFARABAD**

Dated the 28th September, 1986.

No. 1223-28/LD/86, The following Ordinance made by the President on the 28th day of September, 1986, is hereby published for general information:-

**(ORDINANCE LXXX OF 1986)**

**AN**

**ORDINANCE**

to amend the Prohibition (Enforcement of Hadd) Act, 1985.

WHEREAS it is expedient to amend the Prohibition (Enforcement of Hadd) Act, 1985 (Act IV of 1985) for the purposes hereinafter appearing;

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 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.**- This Ordinance may be called the Prohibition (Enforcement of Hadd) (Amendment) Ordinance, 1986.
  - (2) It shall come into force at once.
2. **Amendment of Section 3, Act IV of 1985.**- In the Prohibition (Enforcement of Hadd) Act, 1985 (Act IV of 1985) hereinafter referred to as the said Act, Section 3 shall be renumbered as sub-section (1) of that section and.
  - (a) In sub-section (1), renumbered as aforesaid, for the word "whoever" the words, brackets, figure and comma "subject to provisions of sub-section (2), whoever" shall be substituted; and
  - (b) after sub-section (1), renumbered and amended as aforesaid, the following new sub-section shall be added, namely:-

“(2) Whoever.-

    - (i) imports, exports, transports, manufacturers, or traffics in, opium or coca leaf or opium or coca derivatives; or
    - (ii) finances the import, export, transport, manufacture, or trafficking of, opium or coca leaf or opium or coca derivative shall be punishable with imprisonment for life

or with imprisonment which is not less than two years and with whips not exceeding thirty stripes, and shall also be liable to fine.”

3. **Amendment of Section 4, Act IV of 1985.**- In the said Act, in Section 4, the full-stop at the end shall be substituted by a “colon” and thereafter the following provisions shall be added:-

“Provided that nothing contained in this Section shall apply to a non-Muslim foreigner or to a non-Muslim citizen of Pakistan or Azad Jammu and Kashmir who keeps in his custody at or about time of ceremony prescribed by his religion a reasonable quantity of intoxicating liquor for the purpose of using it as a part of such ceremony:

Provided further that, if the intoxicant in respect of which the offence is committed is herein, cocaine, raw opium or coca leaf, and the quantity exceeds ten grams in the case of heroin or cocaine or one Kilogram in the case of raw opium or coca leaf, the offender shall be punishable with imprisonment for life or with imprisonment which is not less than two years and with whipping not exceeding thirty stripes, and shall also be liable to fine.”

4. **Amendment of Schedule, Act, IV of 1985.**- In the said Act, in the schedule, after item 6, a new item “7-Heroin” shall be added.

Sd/-

President.

Azad Jammu and Kashmir