

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT,
MUZAFFARABAD**

Dated the 16th November, 1991.

No 1157-61/LD/91. The following Ordinance made by the President on the 16th day of November, 1991 is hereby published for general information:-

(ORDINANCE CI OF 1991)

AN

ORDINANCE

to amend the Zakat and Usher Act, 1985

WHEREAS it is expedient to amend the Zakat and Usher Act, 1985 (Act XIX of 1985) for the purpose 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.**- (1) This Ordinance may be called the Zakat and Ushr (Amendment) Ordinance, 1991.
(2) It shall come into force at once.
2. **Insertion of Section 3-A Act, XIX of 1985.**- In the Zakat and Ushr Act, 1985 (Act XIX of 1985), after Section 3, the following new Section 3-A shall be inserted, namely:-
“3-A. **Profit on Zakat Fund.**- (1) The profit accrued on the deposited Zakat Fund shall be deemed to be public money and shall be utilized as may be prescribed by the Government.
(2) Whoever, being in any manner entrusted with Zakat Fund or the profit, accrued thereon, commits criminal breach of trust in respect of that fund or profit or uses the fund or the profit for the purpose not specified by the Shariah or any law for the time being in force, shall be punished with imprisonment for a term which may extend to seven years, and shall also be liable to fine.

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(3) An action under sub-section (2) shall not absolve any person from the process of recovery of such amount under any law for the time being in force.”

Sd/-
(Sardar Sikandar Hayat Khan)
President
Azad Jammu and Kashmir

Sd/-
(Syed Mohammad Akram Shah)
Additional Secretary Law

AJK LAW Department (Library)