

THE PREVENTION OF CORRUPTION  
(WEST PAKISTAN AMENDMENT)  
ORDINANCE, 1960

(W.P. Ordinance XVII of 1960)

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Preamble.

1. Short title.

2. Insertion of sections 5-B and 5-C in Act I of 1947.

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ORDINANCE, 1960

(W.P. Ordinance XVII of 1960)

[17" May, 1960]

An Ordinance to amend the Prevention of Corruption  
Act, 1947, in its application to the Province of West Pakistan.

WHEREAS it is expedient to amend the Prevention of  
Corruption Act, 1947, in its application to the Province of West  
Pakistan, in the manner hereinafter appearing;

NOW, THEREFORE, in pursuance of the Presidential  
Proclamation of the seventh day of October, 1958, and having  
received the previous instructions of the President, the  
Governor of West Pakistan is pleased, in exercise of all powers  
enabling him in that behalf, to make and promulgate the  
following Ordinance:—

1. (1) This Ordinance may be called the Prevention of  
Corruption (West Pakistan Amendment) Ordinance, 1960.

(2) After section \*[5-A of the Prevention of  
Corruption Act, 1947 as in force in the Province of West  
Pakistan] the following new sections shall be inserted  
namely:—

"5-B. Declaration of assets. (1) When the  
Provincial Government on receipt of information and after  
making such enquiries as it may deem necessary, is satisfied  
that there is reason to believe that any public servant or any  
other person on his behalf is in possession of pecuniary  
resources or property disproportionate to the known sources of  
income of such public servant it may, by order require such

public servant or other person to furnish in the prescribed manner and within the prescribed time a statement of his property and liabilities and such information relating thereto as may be required by the order.

(2) If such public servant or person—

This Ord. was promulgated by the Governor of W.P. on 16" May, 1959; published in the W.P. Gazette (Extraordinary), dated 1960, pages 2067-68; saved and given permanent effect by Article 225 of the Constitution of the Islamic Republic of Pakistan

Ins. by W.P. Ord. VII of 1964.

That is Act IX of 1872.

(a) upon being so required by an order under sub-section (1) fails to furnish the statement or information or furnishes a statement or information which he knows or has reasonable cause to believe to be false or not true in any material particular, or

(b) makes in any book, account, record, declaration, return or other document, which he is required by an order under sub-section (1) to furnish, any statement which he knows or has reasonable cause to believe to be false or not true in any material particular,

he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine.

5-C. Possession of property disproportionate to known sources of income. (1) Any public servant who has in his possession any property, movable or immovable, either in his own, name or in the name of any other person, which there is reason to believe to have been acquired by improper means and which is proved to be disproportionate to the known sources of income of such public servant shall, if he fails to account for such possession to the satisfaction of the Court trying him, be punishable with imprisonment for a term which may extend to seven years and with fine, and on such conviction the property found to be disproportionate to the known sources of income of the accused by the Court shall be forfeited to the Provincial Government.

(2) The reference in sub-section (1) to property acquired by improper means shall be construed as a reference to property acquired by means which are contrary to law or to any rule or instrument having the force of law or by coercion, undue influence, fraud or misrepresentation within the meaning of the Contract Act, 1872!"