

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW AND PARLTAMENTARY AFFAIRS SECRETARIAT,
MUZAFFARABAD.

Dated the 27th November, 1985.

No. 2293/193/LD/Leg.(A)/85. The following Act of the Assembly received the assent of the President on 25th day of November, 1985, is hereby published for general information:-

(ACT XXXII OF 1985)

AN

ACT

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;

It is hereby enacted as follows:-

1. Short title and Commencement.- (1) This Act may be called the General Clauses (Amendment) Act, 1985.

(2) It shall come into force at once and shall be deemed to have taken effect from the 11th day of August, 1977.

2. Addition of sub-section (4), Section 5.- In the General Clauses 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 Section 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 and 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continued or enforced and penalty, forfeiture or punishment may be imposed as if the Ordinance had not expired or repealed.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 Act 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.”

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 and Kashmir, under the Azad Jammu and Kashmir Interim Constitution Act, 1974.”

Sd/-
(Syed Shakir Shah)

Section Officer Legislation