

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

Dated the 14th January, 1987.

No. 124-128/LD/Leg (A) 87. The following Act of the Assembly received the ascent of the President on the 8th day of January, 1987, is hereby published for general information:-

(ACT IV OF 1987)

AN

ACT

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

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

It is enacted as follows:-

1. Short title and Commencement. - (1) This Act may be called the Prohibition of Enforcement of Hadd (Amendment) Act, 1987.

(2) It shall come into force at once.

2. Amendment of section 3, Act IV of 1985.- In the Prohibition

(Enforcement of Hadd Act, (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), 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, transports, manufactures, or traffics in, opium or coca leaf or opium or coca derivatives;
or

(ii) finances the import, transport, manufacture, or

trafficking of, opium or coca leaf or opium or coca derivatives; 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.”

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 provision shall be added:

"Provided that the 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 in heroin, cocaine, raw opium or coca leaf, and the quantity extends to 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 at exceeding thirty strips, and shall also be liable to fine."

Amendment of Schedule, Act, IV of 1985.- In the said Act, in the schedule, after 6, a new "7-Heroin" shall be added.

Repeal.- The Prohibition (Enforcement of Hadd) (Amendment) Ordinance 1986 (Ordinance LXXX of 1986) is hereby repeal.

Sd/-

(Syed Atta Mohy-ud-Din Qadri)
Deputy Secretary Law