
**THE
AZAD JAMMU AND KASHMIR
POLITICAL PARTIES
ACT 1987 (ACT I OF 1987)**

AZAD GOVT. OF THE STATE OF JAMMU AND KASHMIR,
LAW AND PARLIAMENTARY AFFAIRS DEPARTMENT.

‘MUZAFFARABAD’
Dated the 14th Jan, 1987.

No. 107-/113/LD/Leg (A)/87.—The following Act of the Assembly received the assent of the President on the 8th day of Jan.1987 is hereby published for general information:—

ACT I OF 1987

A_N

A_{CT}

to provide for the formation and regulation of political parties.

WHEREAS it is expedient to provide for the formation and regulation of political parties, in the manner hereinafter appearing;

It is hereby enacted as follows: —

1. **Short title, extent and commencement.**— (1) This Act may be called the Azad Jammu and Kashmir Political Parties Act, 1987.

(2) It extends to the whole of Azad Jammu and Kashmir and shall apply to all state subjects wherever they may be.

(3) It shall come into force at once.

2. **Definitions.**— In this Act, unless there is anything repugnant in the subject or context,—

(a) ‘Constitution’ means the Azad Jammu and Kashmir Interim Constitution Act, 1974;

(b) ‘Commissioner’ means the Chief Election Commissioner appointed under section 50 of the Azad Jammu and Kashmir Interim Constitution Act, 1974;

(c) ‘Government’ means the Azad Government of the State of Jammu and Kashmir; and

- (d) 'Political party' includes a group or combination of persons which are operating for the purpose of propagating any political opinion or indulging in any other political activity.

3. **Formation of certain political party prohibition.**—(1) No political party shall be formed with the object of propagating any opinion or acting in any manner prejudicial to the Islamic Ideology or Ideology of State's Accession to Pakistan or the sovereignty and Integrity of Pakistan or Security of Azad Jammu and Kashmir or Pakistan or morality, or the maintenance of public order.

(2) No person shall form, organize, set-up or convene a foreign aided party or in any way be associated with any such party.

Explanation.—In sub-section (2) 'Foreign aided party' means a political party which, —

- (a) has been formed organized at the instance of any Government or political party of a foreign country; or
- (b) is affiliated to or associated with any Government or political party of a foreign country; or
- (c) receives any aid, financial or otherwise, from any Government or political party of a foreign country, or any portion of its funds from foreign nationals.

4. **Political Parties to submit accounts, etc.**—Every Political Party shall, in such manner and form and at such time as may be provided by rules made by the Government, account for the source of its funds and submit its finances and accounts to audit by, an officer or authority authorized by the Commissioner in this behalf:

Provided that every political party in existence at the time of commencement of this Act, shall account for the source of its funds, and submit its finances and accounts to audit, within fifteen days of the publication of the rules made under this Act.

5-7 ¹Deleted.

8. **Lawful political activities.**—Subject to the provisions of Section 3, it shall be lawful.—

¹ Rules No. 5 to 7, deleted by Act II of 1991.

- (1) for anybody of individuals or an association of person to form, organize or set-up a political party; or
- (2) for any person, not being in the service of Azad Jammu and Kashmir or Pakistan;
 - (a) to be a member or office-bearer of, or be otherwise associated with, a Political party; or
 - (b) for the purpose of an election to be held under the constitution, to hold himself out or any other person, not being a person in the service of Azad Jammu and Kashmir or Pakistan, as a member or to have the support of a political party, the formation, organization or setting up of which is not prohibited by this Act.

9. **Dissolution of political parties.**—(1) Where the Government is satisfied that a political party is a foreign aided party or has been formed or is operating in a manner prejudicial to the Islamic Ideology or Ideology of State's accession to Pakistan or the sovereignty and Integrity of Pakistan or security of Azad Jammu and Kashmir or Pakistan, or morality, or maintenance, of public order or has contravened the provisions of section 4, it shall make such a declaration and publish the same in the official Gazette, and upon such publication, the political party concerned shall, subject to the provisions of sub-section (2) stand dissolved, and its all properties and funds shall be forfeited to the Government.

(2) Within fifteen days of the making of a declaration under sub-section (1) the Government shall refer the matter to the Supreme Court whose decision on such reference shall be final.

10. **Penalty.**—(1) Any person who, after the dissolution of a political party under section 9, holds himself out as a member or office bearer of that party, or acts for, or otherwise associates himself with, that party, shall be punishable with imprisonment for a term which may extend to three years, or with fine or with both.

(2) If any person who was an office-bearer of a political party at the time of its dissolution under sub-section (2) of Section 9 indulges or takes part in any political activity within five years of its dissolution, he shall be punishable with imprisonment for a term which may extend to three years or with fine, or with both.

(3) Any person who contravenes the provisions of section 8, shall be punishable with imprisonment for a term which may extend to three years, or with fine or with both.

11. **Sanction for prosecution.**— No prosecution under this Act shall be instituted against any person without the previous sanction in writing of the Government.

12. **Savings.**—Notwithstanding any Judgment decree or order of any court, including High Court, everything done, all actions taken, notifications issued orders or appointments made, proceedings initiated, jurisdiction or powers exercised under the provisions of the Azad Jammu and Kashmir Political Parties Ordinance 1979 (Ordinance CXX of 1979) or its succeeding Ordinances issued from time to time shall be deemed to have been validly done, taken, issued, made, initiated or exercised under this Act.

13. **Repeal.**—The Azad Jammu and Kashmir Political parties Ordinance, 1986 (Ordinance LXX of 1986) is hereby repealed.