

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR

Law, Justice, Parliamentary Affairs and Human Rights Department
KRREKKAE

“Muzaffarabad”

Dated: 02.06.2021

No. LD/Legis-Act/244-57/2021. The following Act, passed by the Azad Jammu and Kashmir Legislative Assembly on 27 day of May, 2021 and received the assent of the President on the 31st day of May, 2021, is hereby published for general information.

[Act X of 2021]

Act

to provide a law for merit and competition based fair recruitment

and mechanism in Government and Corporation Service

Whereas, the Azad Jammu and Kashmir Interim Constitution provides safeguard against discrimination in services, ensures equality of all state

subjects and guarantees freedom of profession to all State Subjects;

And Whereas, in order to safeguard the essence of the interim

Constitution, it is expedient to provide a law to ensure merit and competition based recruitment in Government and Corporate Service, through independent

third party as hereinafter provided;

It is hereby enacted as follows:-

4. Short title and Commencement.- (1) This Act may be called the Azad

Jammu and Kashmir Recruitment (Through Third Party) Act, 2021.

(2) It shall come into force at once.

2. Definitions.- In this Act, unless there is anything repugnant in the

subject or context,-

(a) “Corporation Service”, for purposes of this Act means employment of a corporation, corporate body, authority, statutory

body or other organizations or institutions set up, established,

owned, managed, controlled or financed through consolidated fund or a body or organization in which the Government has a controlling share or interest;

(b) "Government Service" for purposes of this Act means employment of a person in civil service or on civil post, in connection with the affairs of the Azad Jammu and Kashmir and includes special institutions, autonomous bodies, attached departments;

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

(dq) "Laws" include Act, Ordinance, Orders, rules, bye-laws, if regulations and any notification and other legal instruments , having the force of law; and '

(ec) "Third party" means an independent third party organization, of well repute, having legal status, that conducts tests and assessments for recruitment and: whose services have been procured for the purpose.

3. Application.- (1) Subject to sub-section (2), this Act shall have application in relation to initial recruitment for all clear vacant posts of BPS-7 and above, available on permanent basis, in Government or

Corporation Service.

(2) This Act shall not apply to the recruitment against posts,-

(i) which have been assigned to Public Service Commission under respective law;

(ii) of Basic Pay Scale (BPS) 1 to 6;

(iii) which are required to be filled on temporary basis; and

(iv) which have been advertised prior to enforcement of this Act.

4. Recruitment through Third Party.- (1) All administrative departments

including attached departments, special institutions, corporations,

autonomous bodies, as the case may be shall hire the services of a Third

Party for conducting tests against posts in Government Service or

Corporation Service in BPS-7 and above.

(2) The selection authority shall conduct interviews of such candidates

who have qualified the written test conducted by the Third Party.

Power to make Rules:- The Government may, by notification in the

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official Gazette, make rules for carrying out the purposes of this Act.

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{Gulftaz/Ahshed Khan)

Section Officer (Legislation)

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