

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW, JUSTICE, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS
DEPARTMENT MUZAFFARABAD

Dated: 14th December, 2016

No.LD/Legis-Act/234-43/2016. The following Act of Assembly received the assent of the President on the 11th day of December 2016, is hereby published for general information.

(ACT XXIX OF 2016)

An
Act
further to amend the Azad Jammu and Kashmir Service Tribunals Act, 1975

WHEREAS it is expedient further to amend the Azad Jammu and Kashmir Service Tribunals Act, 1975 (Act XXII of 1975), for the purposes 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 Service Tribunals (Amendment) Act, 2016.

(2) It shall come into force at once.

2. Amendment of Section 3, Act XXII of 1975.- In the Azad

Jammu and Kashmir Service Tribunals Act, 1975 (Act XXII of 1975), in Section 3, following amendments shall be made:-

(i) The sub-section (3), shall be substituted as under;

“(3) A Tribunal shall consist of,-

(a) a Chairman, being a person, who is a state subject and is not less than 45 years of age, and he has-

(i) for a period of, or for periods aggregating, not less than ten years been an advocate of the High Court of Azad Jammu and Kashmir or High Court in Pakistan; or

(ii) ten years experience of judicial service having at least three years service as a District and Sessions Judge.

Explanation.- In computing the period during which a person has been an advocate of a High Court or held judicial office, there shall be

(b)

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included any period during which he has held judicial office after he become an advocate or, as the case may be, the period during which he has been an advocate after having held judicial office.

One or more Members having qualification as prescribed under sub-section (4).”

(ii) Sub-section (4) shall be substituted as under;

“(4)(a) The Chairman of a Tribunal shall be appointed

(b)

for a period of three years by the President on the advice of the Prime Minister, with the consultation of Chief Justice of Azad Jammu and Kashmir and Chief Justice of High Court on such terms and conditions as may be determined; and

the Member of a tribunal shall be appointed by the President for the period of three years, with the consultation of Chief Justice of Azad Jammu and Kashmir and Chief Justice of the High Court, being a person,-

(i) who is law graduate from any recognized university and is or has been or is eligible for appointment as Secretary to the Government having at least five years experience of legal working in any Government Department and has rendered at least 18 years service in post carrying BPS-17 or above; or

(ii) who has ten years experience of judicial service having at least two years service as District and Sessions Judge; or

(iii) | who has experience of practice as an Advocate High Court for not less than ten years.”

Sd/-

(Mehr-un-Nisa Qadri)
Section Officer (Legislation)

