

**AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT,
MUZAFFARABAD**

Dated the 21st February, 1989.

No. 92-96/LD/89. The following Ordinance made by the President on the 21st day of February, 1989, is hereby published for general information:-

(ORDINANCE X OF 1989)

AN

ORDINANCE

further to amend the Azad Jammu and Kashmir Civil Servants Act, 1976.

WHEREAS it is expedient further to amend the Azad Jammu and Kashmir Civil Servants Act, 1976, (Act VI of 1976) in the manner hereinafter appearing;

AND WHEREAS the Legislative Assembly is not in session and the President is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of Section 41 of the Azad Jammu and Kashmir Interim Constitution Act, 1974, the President is pleased to make and promulgate the following Ordinance:-

1. **Short title Extent and Commencement.-** (1) This Ordinance may be called the Azad Jammu and Kashmir Civil Servants (Amendment) Ordinance, 1989.
(2) It shall come into force at once.
2. **Addition of Section 8-A, Act VI of 1976.** - In Azad Jammu and Kashmir Civil Servants Act, 1976 (Act of 1976) hereinafter referred to as the said Act, after Section 8, the following new Section 8-A shall be added:-
“8-A. **Out of turn promotion etc.**— Notwithstanding anything contained in this Act or any other law for the time being in force or in any contract, or rights claimed or acquired under any judgment of any Court or Tribunal, Civil Servants who presently exhibits exemplary intellectual, moral and financial integrity and high standard of honesty and give extra-ordinary performance in the discharge of his duties may be granted out-of-turn promotion or award or reward in such manner as may be prescribed.”
3. **Substitution of Section 12, Act VI of 1976.-** In the said Act, Section 12 shall be substituted as under:-

“12. **Retirement from service.**- A Civil Servant shall retired from service:-

- (i) On such date after he has completed ten years of service qualifying for pension or other retirement benefits as the competent authority may, in public interest, direct; and
- (ii) If no direction is given under clause (i) then on the completion of the sixtieth year of his age:

Provided that no order under clause (i) shall be made in respect of a civil servant unless the competent authorities has informed him in writing of the grounds on which it is proposed to make the order and has given him an opportunity of showing cause against it.

Explanation:- In this Section, competent authority “means the appointing authority or a person duly authorized in this behalf not being a person lower in rank than the Civil Servant concerned.”

Sd/-
(Sardar Mohammad Abdul Qayyum Khan)
President
Azad Jammu and Kashmir

Sd/-
Zaka Ullah Jan
Section Officer Law
Azad Govt. of the State of J&K
Muzaffarabad.