

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

Dated the 6th August, 1991.

No. 861-64/LD/91. The following Ordinance, made by the President on the 6th day of August, 1991, is hereby published for general information:-

**(ORDINANCE LXVIII OF 1991)**

**AN**

**ORDINANCE**

to amend the Azad Jammu and Kashmir Public Service Commission Act, 1986.

WHEREAS it is expedient to amend the Azad Jammu and Kashmir Public Service Commission Act, 1986 (Act XVII of 1986) for the purposes 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 and Commencement.**- (1) This Ordinance may be called the Azad Jammu and Kashmir Public Service Commission (Amendment) Ordinance, 1991.  
(2) It shall come into force at once.
2. **Amendment of Section 2, Act XVII of 1986.**- In the Azad Jammu and Kashmir Public Service Commission Act, 1986 (Act XVII of 1986), hereinafter referred to as the said Act, in Section 2, after clause (c), the following new clause (cc) shall be inserted, namely:-  
"(cc) 'Prescribed' means prescribed by rules made under this Act;"
3. **Amendment of Section 3, Act XVII of 1986.**- In the said Act, in Section 3,-
  - (a) for sub-section (1), the following shall be substituted, namely:-

“There shall be an Azad Jammu and Kashmir Public Service Commission Consisting of five members (including the Chairman): Provided that the President may, by notification in the Official Gazette, increase the number of Members for such period as he may determine and may appoint one or more persons in the service of Azad Jammu and Kashmir to be members ex-officio for the discharge of such functions as he may determine;”

- (b) after sub-section (1) the following new sub-section (I-A) shall be inserted:-

"(I-A) The person appointed as Chairman and other Members of the Commission immediately before the Commencement of this Ordinance shall be deemed to have been appointed under this Ordinance."

- (c) after sub-section (4) the following new sub-section (5) shall be added:-

"(5) No proceedings or act of the Commission shall be invalid merely on the ground of the existence of a vacancy in or a defect in the constitution of the Commission."

4. **Amendment of Section 4, Act XVII of 1986.**- In the said Act, in Section 4, for sub-section (I), the following shall be substituted, namely:-

“(1) The term of office of a member shall be three years:

Provided that in the case of a person who was in the service of Azad Jammu and Kashmir immediately before his appointment, as member, the term of office shall be three years or till he retires from service of Azad Jammu and Kashmir, whichever is earlier:

Provided further that the President may.-

- (i) extend the term of office of a member for such period as he may determine ; and
- (ii) for the reasons to be recorded in writing terminate the appointment of a member before the expiration of his term of office."

5. **Deletion of Section 6, Act XVII of 1986.**- In the said Act , Section 6 shall be deleted.
6. **Insertion of new Section 7-A, Act XVII of 1986.**- In the said Act, after Section 7 the following new Section 7-A shall be inserted, namely :-

**"7-A. Conduct of Business of Commission etc.-** The Chairman of the Commission may, with the approval of the Government, make rules for regulating the conduct of the business of the Commission, and such rules may provide for any of the functions of the Commission specified by it being performed by a Committee, composed of two or more members, constituted by the Chairman for the purpose."

Sd/-  
(Abdul Rashid Abbasi)  
President  
Azad Jammu and Kashmir

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Sd/-  
(Syed Mohammad Akram Shah)  
Additional Secretary Law.