

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

Dated the 28th December, 1992.

No. 1168-72/LD/92. The following Ordinance made by the president on the 28th day of December, 1992 is hereby published for general information:-

**(ORDINANCE CV of 1992)**

**AN**

**ORDINANCE**

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

WHEREAS it is expedient to amend the Azad Jammu and Kashmir Service Tribunals Act, 1975 (Act XXII of 1975) 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, Commencement and Application.-** (1) This Ordinance may be called the Azad Jammu and Kashmir Service Tribunals (Amendment) Ordinance, 1992.  
(2) It shall come into force at once.  
(3) It extends to the whole of Azad Jammu and Kashmir.
2. **Substitution of Section 3, Act XXII of 1975.-** In the Azad Jammu and Kashmir Service Tribunals Act, 1975 (Act XXII of 1975), hereinafter referred to as the said Act, for the existing Section 3, the following shall be substituted and shall be deemed always to have been so substituted, namely:-  
"3. **Tribunals.-** (1) The President may, by notification in the official Gazette, establish one or more Service Tribunals and where three are established more than one Tribunals, the President shall specify in the notification the class or classes of civil servants in respect of whom or the territorial limits within which, or the class or classes of cases in respect of which, each such Tribunal shall exercise jurisdiction, under this Ordinance.  
(2) A Tribunal shall have exclusive jurisdiction in respect of matters relating to the terms and conditions of service of civil servants, including disciplinary matters;  
(3) A Tribunal shall consist of-

- (a) a Chairman, being a person, who has been, or is qualified to be, Judge of a High Court; and
- (b) one member, who is a person, who possesses such qualifications as may be prescribed by rules;

Provided that any appointment made without prescribing the qualification shall be deemed to be validly made under the Act,

(4) The Chairman and member of a Tribunal shall be appointed by the president on such terms and conditions as he may determine.

(5) The Chairman or a member of a Tribunal may resign his office by writing under his hand addressed to the President.

(6) The Chairman or a member of Tribunal shall not hold any other office of profit in the service of Azad Jammu and Kashmir or Pakistan if his remuneration is thereby increased.

(7) Notwithstanding anything contained in sub-section (3), (4), (5) or (6), a Tribunal established to exercise jurisdiction in respect of a specified class or classes of cases, may consist of one or more persons in the service of Azad Jammu and Kashmir to be appointed by the President.”

3. **Addition of Section 18, Act XXII of 1975.**- In the Azad Jammu and Kashmir Service Tribunal Act, 1975 (Act XXII of 1975), after section 17, the following new section 18 shall be added, namely;

"18 Validation.- Notwithstanding anything contained in any other law for the time being enforce, everything done, all actions taken, proceedings initiated, jurisdiction powers exercised, or appointments made before or after the enforcement of the Azad Jammu and Kashmir Service Tribunal (Amendment) Ordinance, 1987 (Ordinance XXXIV of 1987) or its succeeding Ordinances issued from time to time shall be deemed to have been validly done, taken initiated or exercised under this Ordinance."

Sd/-  
(Sardar Sikandar Hayat Khan)  
President  
Azad Jammu and Kashmir

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Sd/-  
(Syed Shakir Shah)  
Deputy Secretary Law