

**THE AZAD JAMMU AND KASHMIR EMPLOYEES
BENEVOLENT FUND AND GROUP INSURANCE ACT, 1971**

(Act XVI of 1971)

Passed under No. 3916/SL/71 dated 26 August, 1971.

An Act to establish a benevolent fund for the common benefit of the employees of the Government and certain autonomous bodies and to provide for their Group Insurance.

Whereas it is expedient to establish a benevolent fund for the common benefit of the employees of Azad Government of the State of Jammu and Kashmir and certain autonomous bodies and to provide for their Group Insurance;

It is hereby enacted as follows :-

1. **Short title, commencement and application:-** (1) This Act maybe called the Azad Jammu and Kashmir Employees Benevolent Fund and Group Insurance Act, 1971.

(2) It shall come into force on such date as the Government may, by Notification in the Official Gazette, appoint; and different date may be appointed in respect of different provisions of this Act or for different classes or categories of employees.

(3) It shall extend to the whole of Azad Jammu and Kashmir Territory and applies to every employee wherever he may be.
2. **Definitions:-** In this Act, unless there is anything repugnant in the subject or context :
 - (1) 'Benevolent Fund' means the Azad Jammu and Kashmir Employees Benevolent Fund established under Section 11 ;
 - (2) 'Board' means the Board of trustees set up under Section 4;
 - (3) 'Employee' means :
 - (a) any person who holds a civil post in connection with the affairs of the Government ;

any officer or servant of such body corporate, institution, organization or autonomous body as the Government may, by notification in the Official Gazette, specify and includes any such person, officer, servant or member of the staff who is :
 - (i) on extension of service after the age of superannuation;
 - (ii) on deputation elsewhere ;

- (iii) undergoing study or training in or outside Azad Kashmir;
- (iv) under orders of suspension.
- ¹ [(c) "Gazetted" means Government Servants holding Posts in Basic Scale 16 and above; and
- (d) "Non Gazetted" means Government Servants holding posts Basic scales 1 to 15.]
- (4) ²['Family' means: (a) in the case of male employee, the wife or wives, and in the case of a female employee, the husband of employee;
- (b) the natural sons upto the age of twenty-one years, provided that they are not handicapped or mentally retarded; and
- (c) parents, minor brothers, unmarried, divorced or widowed daughters and sisters of the employee wholly depended upon him.]
- (5) 'Government' means the Azad Government of the State of Jammu and Kashmir.
- (6) 'Insurance Fund' means the Azad Jammu and Kashmir Employees Insurance Fund established under Section 17 ;
- (7) 'Pay' includes special pay, personal pay, technical pay, leave salary and subsistence grant ;
- (8) 'Prescribed' means prescribed by rules ;
- (9) 'Rules' means rules made under this Act.
- 3. **This Act, and rules to override other Laws, but not to affect retirement benefit etc:-** The provisions of this Act and the rules shall have effect notwithstanding anything contained in any other law, rules, order, notification, contract or other document or instrument; but nothing herein contained shall affect the right to receive any pension, Provident fund, gratuity or other benefits accruing to the employee on his retirement or invalidation or to his family upon his death, otherwise than under this

¹ Added vide Sec 2 of Act V of 1991.

(a) ² Substituted vide Sec 2 of Act XXIII of 2021. Original text is as: Family means; In the case of male employee, the wife or wives, and in the case of a female employee, the husband of employee; and

(b) the legitimate children, parents, minor brothers, un-married, divorced or widowed sisters of the employee residing with and wholly dependent upon him ;

Act.