

AZAD GOVERNMENT OF THE STATE OF JAMMU AND KASHMIR
Law, Justice, Parliamentary Affairs and Human Rights Department

"Muzaffarabad"
Dated: 13.09.2017

No.LD/Legis-Act/673-85/2017. The following Act of Assembly received the assent of the President on the 8th day of September 2017, is hereby published for general information.

[Act XXXIX of 2017]

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 and Commencement.**- (1) This Act may be called the Azad Jammu and Kashmir Service Tribunals (Amendment) Act, 2017.
(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), hereinafter referred to as the said Act, in Section 3, in sub-section (4), in clause (b), after the words "three years", the words "on the advice of the Prime Minister" shall be inserted.
3. **Amendment of Section 6, (Act XXII of 1975).**- In the said Act, in Section 6, following amendments shall be made:-
 - (i) For sub-section (1), following shall be substituted:-

“(1) The Chairman of the Tribunals may constitute a single, division, larger or full bench of the Tribunal, as he may deem appropriate, for hearing of appeals under this Act.”
 - (ii) In sub-section (2),-
 - (a) Between the words "by a" and "division", the words "single or" shall be inserted.
 - (b) The full stop at the end shall be substituted by a colon and thereafter following proviso shall be added:-

“Provided that in case of difference of opinion between the members of division bench, the matter shall be placed before the larger bench and the decision shall be expressed in terms of the opinion of the majority;” and

(iii) in sub-section (5), the words “except the final judgment”, occurring at the end shall be omitted.

4. **Savings and Validation.**- All actions taken, decisions made, orders passed, notice issued, proceedings initiated, power exercised, power conferred etc., before the commencement of this Act, which have now been visualized by this Act shall be deemed to have been validly taken, made, passed, issued, initiated, exercised, conferred etc. under this Act.
5. **Repeal.**- The Azad Jammu and Kashmir Service Tribunals (Amendment) Ordinance, 2017 (Ordinance XVI of 2017) is hereby repealed.

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