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

'Muzaffarabad'

Dated: 15.12.2023

No. LD/Legis.-Act/226-36/2023. The following Act, passed by the Azad Jammu and Kashmir Legislative Assembly on 30th day of November, 2023 and received the assent of the President on the 13th day of December, 2023, is hereby published for general information.

[Act X of 2023]

An

Act

to amend the Azad Jammu and Kashmir Employees Service Association (Registration and Regulation) Act, 2016

WHEREAS it is expedient to amend the Azad Jammu and Kashmir Employees Service Association

(Registration and Regulation) Act, 2016 (Act XVIII of 2016) in the manner hereinafter appearing;

It is hereby enacted as follows:-

1. **Short title, extent and commencement.**- (1)

This Act may be called the Azad Jammu and Kashmir Employees Service Association (Registration and Regulation) (Amendment) Act, 2023.

(2) It shall extend to whole of Azad Jammu and Kashmir. It shall apply to all persons in service of Azad Jammu and Kashmir including civil servants and service of corporation owned and controlled by the Government but shall not include members of any disciplined force including Police.

(3) It shall come into force at once and be deemed to have taken effect since 07.11.2023.

2. **Amendment of Section 17, Act XVIII of**

2016.- In the Azad Jammu and Kashmir Employees Service Association (Registration and Regulation) Act, 2016 (Act XVIII of 2016), hereinafter referred to as the said Act; in Section 17, after sub-section (2), the following new sub-sections (3) and (4) shall be added:-

“(3) Notwithstanding anything contained in any other law for the time being in force, in case of persistent and continuous display of misconduct or defiance of Government orders/instructions or hampering the smooth functioning of any department of the Government or inciting other Government

servants for the strike or go slow or protest march by an employee shall be construed subversion against Government and Misconduct as defined in Section 2 (1) of the said Act and in the Azad Jammu and Kashmir Government Servants (Conduct) Rules, 1981, the accused shall summarily be dismissed from service by the competent authority.

(4) The provision of sub-section (1), (2) and (3) above shall also be applicable to the employees of such self-declared Associations which have not been registered under this Act.”

3. **Amendment of Section 19, Act XVIII of 2016.**- In the said Act, in Section 19, after sub-section (2), the following new sub-section (3) shall be added:-

“(3) A complaint under this Section shall be filed by an officer to be authorized in this behalf by the concerned Head of Department.”

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(Kh. Hashim Shaheen)
Section Officer (Legislation)

No. 32701-32800 /P&S/2023

Dated: 16.12.2023

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