

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

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“Muzaffarabad”  
Dated: 02.06.2021

No. LD/Legis-Act/244-57/2021. The following Act, passed by the Azad Jammu and Kashmir Legislative Assembly on 27<sup>th</sup> day of May, 2021 and received the assent of the President on the 31<sup>st</sup> day of May, 2021, is hereby published for general information.

**[Act X of 2021]**

**An**  
**Act**

to provide a law for merit and competition based fair recruitment mechanism in Government and Corporation Service

**Whereas**, the Azad Jammu and Kashmir Interim Constitution provides safeguard against discrimination in services, ensures equality of all state subjects and guarantees freedom of profession to all State Subjects;

**And Whereas**, in order to safeguard the essence of the Interim Constitution, it is expedient to provide a law to ensure merit and competition based recruitment in Government and Corporate Service, through independent third party as hereinafter provided;

It is hereby enacted as follows:-

1. **Short title and Commencement.**- (1) This Act may be called the Azad Jammu and Kashmir Recruitment (Through Third Party) Act, 2021.  
(2) It shall come into force at once.
2. **Definitions.**- In this Act, unless there is anything repugnant in the subject or context,-
  - (a) **“Corporation Service”**, for purposes of this Act means employment of a corporation, corporate body, authority, statutory body or other organizations or institutions set up, established,

owned, managed, controlled or financed through consolidated fund or a body or organization in which the Government has a controlling share or interest;

- (b) **“Government Service”** for purposes of this Act means employment of a person in civil service or on civil post, in connection with the affairs of the Azad Jammu and Kashmir and includes special institutions, autonomous bodies, attach departments;
- (c) **“Government”** means the Azad Government of the State of Jammu and Kashmir;
- (d) **“Laws”** include Act, Ordinance, Orders, rules, bye-laws, regulations and any notification and other legal instruments having the force of law; and
- (e) **“Third party”** means an independent third party organization, of well repute, having legal status, that conducts tests and assessments for recruitment and whose services have been procured for the purpose.

3. **Application.-** (1) Subject to sub-section (2), this Act shall have application in relation to initial recruitment for all clear vacant posts of BPS-7 and above, available on permanent basis, in Government or Corporation Service.

(2) This Act shall not apply to the recruitment against posts,-


- (i) which have been assigned to Public Service Commission under respective law;
- (ii) of Basic Pay Scale (BPS) 1 to 6;
- (iii) which are required to be filled on temporary basis; and
- (iv) which have been advertised prior to enforcement of this Act.

4. **Recruitment through Third Party.-** (1) All administrative departments including attached departments, special institutions, corporations, autonomous bodies, as the case may be shall hire the services of a Third

Party for conducting tests against posts in Government Service or Corporation Service in BPS-7 and above.

(2) The selection authority shall conduct interviews of such candidates who have qualified the written test conducted by the Third Party.

5. **Power to make Rules:-** The Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

  
2/6/2021  
(Gulfrax Ahmed Khan)  
Section Officer (Legislation)