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separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

JAMMU AND KASHMIR LEGISLATIVE ASSEMBLY
SECRETARIAT, JAMMU

Under Rule 64 of the Rules of Procedure and Conduct of Business in Jammu and Kashmir Legislative Assembly, the following Bill together with the Statement of Objects and Reasons, is published in an extraordinary issue of the Government Gazette.

By order of the Hon'ble Speaker.

(Sd.) **M. RAMZAN,**

Secretary.

**THE JAMMU AND KASHMIR ACCOUNTABILITY
COMMISSION (AMENDMENT) BILL, 2015.**

[L. A. Bill No. 5 of 2015.]

A Bill to amend the Jammu and Kashmir Accountability Commission Act, 2002.

Be it enacted by the Jammu and Kashmir State Legislature in the Sixty-sixth Year of the Republic of India as follows :—

1. *Short title and commencement.* (1) This Act may be called the Jammu and Kashmir Accountability Commission (Amendment) Act, 2015.

(2) It shall come into force from the date of its publication in the Government Gazette.

2. *Amendment of Section 4, Act XXXVIII of 2002.*—In section 4 of the Jammu and Kashmir Accountability Commission Act, 2002 (hereinafter referred to as ‘the principal Act’),—

(i) section 4 shall be re-numbered as sub-section (1) thereof ; and

(ii) after sub-section (1) as so re-numbered, the following sub-section shall be added, namely :—

“(2) A three member Cabinet Sub-Committee shall be constituted from time to time by the Chief Minister to act as a Search Committee for shortlisting the names of the probables for selection by the Committee referred to in sub-section (1). The Committee referred to in sub-section (1), shall, however, be free to consider the names

of eligible persons, other than those shortlisted by the Sub-Committee so constituted under this sub-section.”

3. *Amendment of Section 6, Act XXXVIII of 2002.* In section 6 of the principal Act, in sub-section (1), for the words “three years” and the words, “seventy years”, the words “five years” and the words “seventy five years” shall respectively be substituted.

STATEMENT OF OBJECTS AND REASONS

The Jammu and Kashmir Accountability Commission Act, 2002 was enacted by the State Legislature for establishing an institution of Accountability Commission to enquire into allegations of corruption, favoritism, nepotism, or lack of integrity and abuse or misuse of official position by public functionaries. Under the existing provisions of the Act, the Chairperson and Members hold office for a period of three years or until they attain the age of 70 years, whichever is earlier. Due to limited availability of eligible retired Judges, the Commission has at many times in the past remained headless for long spells of time. In order to broaden the zone of consideration for appointment of Chairperson and Members, the term of office and the age limit of Chairperson and Members is required to be increased.

The proposed amendment Bill seeks to amend section 6 of the Jammu and Kashmir Accountability Commission Act, 2002 for increasing the term of office of the Chairperson and the Members from three years to five years and for increasing the age limit for eligibility from 70 years to 75 years. The Bill also provides for constitution of a three member Cabinet Sub-Committee to act as a Search Committee for shortlisting the names of the probables for selection by the committee provided for under section 4 of the Act.

Hence the Bill.

**MINISTER FOR LAW, JUSTICE AND
PARLIAMENTARY AFFAIRS.**