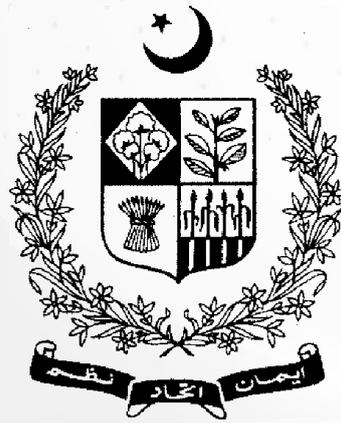


Law and Justice Commission of Pakistan
Annual Report
2022



Government of Pakistan
Supreme Court Building, Constitution Avenue
Islamabad

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Foreword

The Annual Report of Law and Justice Commission of Pakistan is the primary source of information for the stakeholders of justice sector, the policy makers and the general public which gives an overview of the activities performed and measures taken during the year for legal awareness, and efforts towards modernization of laws and better administration of justice.

The Commission also conducts analysis of judicial data for taking appropriate measures to improve the efficiency of courts for expeditious delivery of justice. In September 2022, on the directions of the Hon'ble Chief Justice of Pakistan/ Chairman Law and Justice Commission of Pakistan, ADR Committee has been constituted under the chairmanship of the Hon'ble Mr. Justice Ijaz Ul Ahsan, Judge Supreme Court of Pakistan. The Hon'ble Judges of each High Court are its members to supervise the process of implementation and institutionalization of the ADR laws at the Government and high court level.

Likewise, the process to review the arbitration laws has also been initiated to create enabling climate for expert, efficient and enforceable arbitration in Pakistan. The main focus of this initiative would be to analyze the existing legislation on arbitration in Pakistan and recommend suitable measures in line with UNCITRAL Model Law.

The LJCP Secretariat organized 9th International Conference under the title 'Administration of Justice: 75 Years –Reflecting on the Past and Looking Towards Future' on 23-24 September, 2022 at Supreme Court of Pakistan, Islamabad to discuss the achievements during the journey and suggest what needs to be done to bring efficiency and effectiveness in the justice system and improve access to justice in society.

The LJCP Secretariat vows to continuously carry out research on laws to keep them updated as per changing needs in line with the best practices. Accordingly, the Secretariat has launched theme based projects on legal & judicial research, legal awareness and innovation in legal education in collaboration with other justice sector stakeholders including the researchers and academia. Likewise, through Access to Justice Development Fund, projects have been initiated to improve infrastructure in district judiciary and create enabling environment for female judicial officers, court staff, lawyers and litigants.

I would like to thank the Hon'ble Chief Justice of Pakistan / Chairman, LJCP and Members of the Commission who continuously supported us in achieving the goals in enhancing the mandate

of the Commission. Finally, I would also like to thank the Staff of LJCP Secretariat for their dedicated and untiring support in accomplishing multiple tasks in this regard.

Secretary, LJCP

Introduction

The Law and Justice Commission of Pakistan (LJCP) is mandated to drive the reform process in the legal and justice sector. The establishment of LJCP reflects the Government's strong commitment to reform the legal system and improve governance in the country. As per its expanded mandate, the Commission is tasked with wide-ranging functions with the responsibility to provide leadership and technical input in the areas of legal research, policy development and capacity building of stakeholders from judiciary and other institutions of justice sector. The Commission has its own Secretariat headed by a Secretary and has a vibrant team supported by the allied staff.

In addition to performing regular functions related to law reforms, legal research and public awareness, the Secretariat of the Commission is also providing secretarial assistance to the National Judicial (Policy Making) Committee. The NJPMC is a major stride to bring about coherence in national judicial policy and improve the efficiency and performance of judicial institutions in the country. During the year 2022, the Secretariat arranged meetings of the Alternate Dispute Resolution (ADR) Committee, Judicial Academies, National Judicial Automation Committee (NJAC) to discuss issues of significance with relevant stakeholders.

In light of its statutory mandate the LJCP simplifies laws for their easy understanding and devise strategies to enable society to be more law conscious. During the year, 2022 the following write-ups both in English and Urdu languages have been prepared in brochure format: - (i). The Letters of Administration and Succession Certificates; (ii). The Islamabad Capital Territory (ICT) Senior Citizen Act, 2021 and (iii). The Right of Persons with Disability Act, 2020.

These Laws deal directly with public rights therefore, to attain the object of public awareness the brochures disseminated in the Libraries maintained by the institutions of legal fraternity and public places including passengers' lounges, etc.

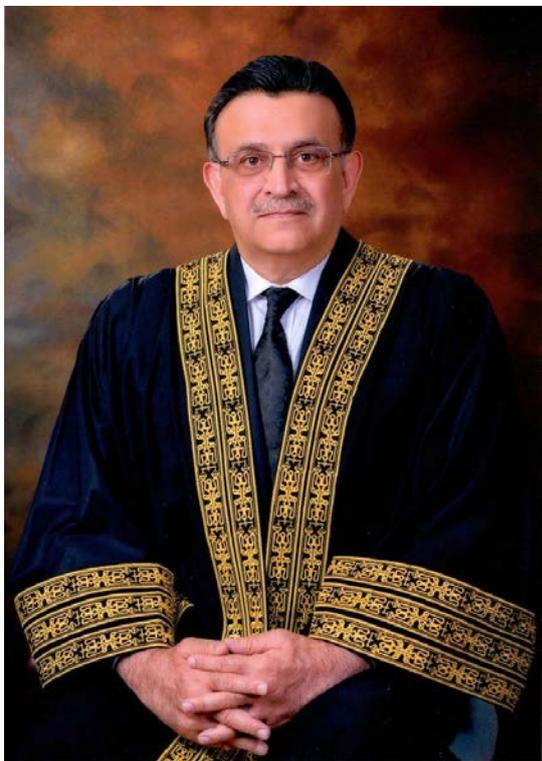
The LJCP Secretariat has also been assigned the responsibility to manage and administer an endowment, "Access to Justice Development Fund" (AJDF), established by the Government. In light of the directions of the Governing, Body, AJDF, DLECs have been constituted in 129-districts across the country under the Chairmanship of the District & Sessions Judges concerned for provision of free legal aid to the deserving litigants and an amount of Rs.82.8 millions has

been released to these Committees up to year 2022. DLECs are governed by the DLECs (Constitution & Functions) Rules, 2011.

The Commission welcomes legal research institutions, professional bodies, jurists, scholars, researchers and citizens for interaction on the issues of legal and judicial reforms and sharing views, comments and suggestions for improvement in administration of justice and standards of legal education, legislative framework, future legal landscape, legal awareness and protection of human rights.

1. Profiles of Hon'ble Chairmen and Members of the Commission

1.1 Hon'ble Mr. Justice Umar Ata Bandial, Chief Justice of Pakistan/ Chairman LJCP



Mr. Justice Umar Ata Bandial completed his B.A. (Economics) degree from Columbia University in 1979 and read Law from the University of Cambridge in 1981. He qualified as Bar-at-Law from Lincoln's Inn in 1982. He enrolled as an Advocate of the High Court in 1982 and as an Advocate of the Supreme Court in 1997. He taught at the Punjab University Law College from 1983-1987 and also remained a member of its Graduate Studies Committee.

Mr. Justice Umar Ata Bandial practiced law at Lahore and mostly dealt with commercial, banking, tax and property matters. He also conducted arbitrations on international commercial disputes and appeared in such matters before the Supreme Court of Pakistan and foreign arbitral tribunals in London and Paris.

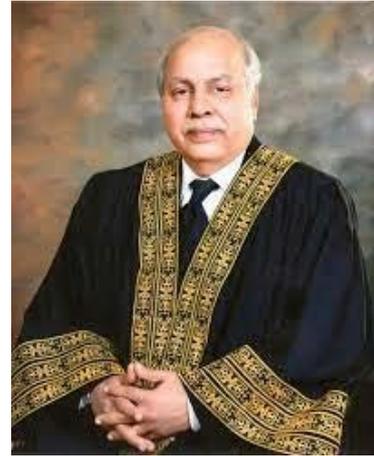
Mr. Justice Umar Ata Bandial was appointed as a Judge of the Lahore High Court on 04.12.2004 and subsequently became the Chief Justice of that Court on 01.06.2012, which office he occupied till his appointment as a Judge of the Supreme Court of Pakistan on 17.06.2014. He took oath as the 28th Chief Justice of Pakistan on 02.02.2022 and assumed the office of Chairman of the Law and Justice Commission on the same day.

In his judicial tenure of 19 years, Mr. Justice Umar Ata Bandial has authored a number of judgments on a diverse range of public and private law issues and has laid down important legal principles in constitutional and civil cases.

1.2 Hon'ble Mr. Justice Gulzar Ahmed, Chief Justice of Pakistan/Chairman LJCP

(From 21st December, 2019 to 1st February 2022)

Hon'ble Mr. Justice Gulzar Ahmed was born on 2nd February, 1957 at Karachi. Graduated from the Government National College Karachi and passed LLB from S.M. Law College Karachi. Enrolled as an Advocate on 18th January, 1986, Advocate High Court on 4th April, 1988 and Advocate Supreme Court of Pakistan on 15th September, 2001, elected as Honorary Secretary, Sindh High Court Bar Association for the term 1999-2000. Also rendered his services as legal advisor of various multinational and local organizations.



Hon'ble Mr. Justice Gulzar Ahmed was elevated as Judge of the High Court of Sindh on 27th August, 2002 and became Senior Puisne Judge of the august Court on 14th February, 2011. In addition, served as Member Board of Governors, Institute of Business and Technology, NED University of Engineering and Technology, Sir Syed University of Engineering and Technology, Iqra University, Ahmed E.H. Jaffer Foundation and Agha Khan University, Karachi. Besides, His Lordship remained Chairman of Enrollment Committee of Sindh Bar Council, Development Committee and I.T. Committee of the High Court of Sindh.

Being member of delegation of Pakistani Judicial Officers participated in International Cooperation in Terrorist Cases in 2009 and in 18th Intensive Study Programme for judicial educators conducted by Commonwealth Judicial Education Institute, Canada in 2011 and was conferred Fellowship by the Institute.

On 16th November, 2011, His Lordship was elevated as Judge, Supreme Court of Pakistan and took Oath as 27th Chief Justice of Pakistan on 21st December, 2019 and retired on 1st February 2022.

1.3 Mr. Khalid Jawed Khan, Attorney General for Pakistan

Mr. Khalid Jawed Khan was appointed Attorney General for Pakistan on 22nd February, 2020. Practicing law since 1996 as Advocate of the Supreme Court of Pakistan. Assisted Court in many important cases of public importance and constitutional issues.

He earned his LLB degree from Queen Mary College, University of London, Bachelor of Civil Law from Hertford College, Oxford University and LLM from Harvard Law School. His tenure as Attorney General for Pakistan ended on 10th April 2022.



1.4 Mr. Ashtar Ausaf Ali, Attorney General for Pakistan



Mr. Ashtar Ausaf Ali (born 19 June 1956) twice served as Attorney General for Pakistan from 2016 to 2018, and from 2022 to 2023. In his first term, he co-drafted the Twenty-Fifth Amendment to the Constitution of Pakistan 1973, resultantly, merger of the Federally Administered Tribal Areas with Khyber Pakhtunkhwa.

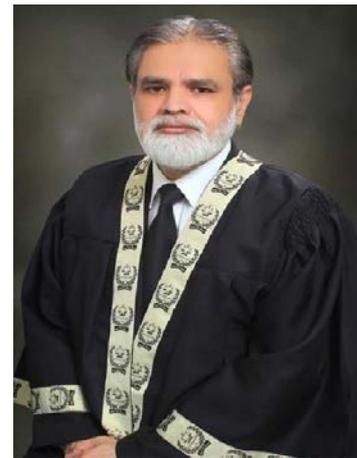
Previously served as Special Assistant to the Prime Minister on Law and Justice from 2015 to 2016. Twice served as Advocate General of Punjab from 1998 to 1999 and 2012 to 2013, and as Prosecutor General of the province from 2011 to 2012.

Mr. Ashtar Ausaf Ali received LLB degree from Punjab University in 1980. Studied GW Law at Washington, DC. Earned an MLC and taught a course in the summer at the law school, giving him the unique opportunity of experiencing GW Law as both a student and instructor. Later returned to Pakistan and taught at Punjab University for a few years and co-established LLM program. Thereafter, stopped teaching in the late 80s and then decided to pursue a career in private practice in the late 90s, also served as Advisor to the Prime Minister on Human Rights in 1997.

In 1998, was appointed Advocate General of the Province of Punjab then started private practice after resignation from the Office and continued till 2011. In 2012, was again appointed as Advocate General for two years. Later on, appointed as Special Assistant to the Prime Minister on Law with the status of Minister of State in February 2015, and was incharge of the Ministry of Law and Justice until March, 2016, then officially assumed office as the 32nd Attorney-General for Pakistan and advised the Government on matter relating to the law and was also entitled to participate in the proceeding of the Parliament. His second tenure ended on 02-02-2023.

1.5 Hon'ble Mr. Justice Dr. Syed Muhammad Anwer, Acting Chief Justice, Federal Shariat Court of Pakistan.

Hon'ble Mr. Justice Dr. Syed Muhammad Anwer has diverse experience as an advocate, prosecutor and judge. Previously he has extended his legal services as legislative counsel, public policy maker, lecturer and legal consultant. Served as a legal expert at various senior management and executive levels in different public, private, educational, research and development organizations. He was appointed as Aalim Judge of the Federal Shariat Court on 21.05.2020 and later on appointed as Acting Chief Justice of the Federal Shariat Court on 16.05.2022.



He is PhD scholar in Islamic Studies, did his Masters in Oriental Learning, Arabic Language and Literature and Islamic Studies from Punjab University. He completed his Bachelors (LL.B Honors) from International Islamic University, Islamabad and LL.M in International Economic Law from Kyushu National University, Japan, as Scholar which is the Japanese Government's highest scholarship.

Before taking oath as Judge of the Federal Shariat Court he remained Member Judicial Customs Appellate Tribunal, Islamabad, Director Legal at Ministry of Information Technology, Chairman Electronic Certification and Accreditation Council of Pakistan, Deputy Attorney General for Pakistan, Elected President of Islamabad Bar Association, Member of Council of Islamic Ideology (CII), Jurist-Consult at the Federal Shariat Court, Member Academic Board of Ripha

Institute of Public Policy of Riphah University. In addition, he intermittently held different other legal positions in the private and development sector.

Also attended courses on Private International Law, The Hague Academy of International Law The Hague, Netherlands, the Protection of Human Rights for Judges and Lawyers; the Netherlands Institute of Human Rights (Utrecht University) & The Hague Academy of International Law, The Hague, Netherlands, Diploma in International Trade Law with focus on WTO and Trade Laws from the Academy of International Trade Law.

His Lordship was the Member Legal of Pakistan's delegation for 3rd Trade Policy Review of Pakistan at WTO (an activity undertaken every six years for every country), Geneva, Switzerland. He headed Pakistani delegation, Cyber Terrorism for International Conference of Asia Pacific Telecommunity (APT) at Busan Korea. His Lordship presented paper on "Defining Cyber Terrorism in the context of Cyber Laws of Pakistan". His Lordship attended Cyber Security Conference of Asia Pacific Region at Delhi India, Asia Pacific Forum as Head of Pakistan's delegation & as Speaker. He also presented paper on "Cyber Terrorism". He participated in the Conference on e-Legislation and Electronic Banking by Electronic Commerce Resource Center, Karachi as Keynote Speaker and presented paper on Importance of Electronic Transaction Ordinance 2002. His Lordship attended the Seminar on Telecommunication and Space Technology Laws by Space Institute of Pakistan as a Keynote Speaker.

Hon'ble Mr. Justice Dr. Syed Muhammad Anwer remained visiting faculty Member of law at different universities. Also delivered lectures at renowned National Institutions like Federal Judicial Academy, International Islamic University Islamabad, Quaid-i-Azam University, PIHR and IPS and many other research and academic institutions on different topics including Islam, Law, Human Rights and Linguistics etc.

His Lordship remained Member of Legal Organizations; International Bar Association, London, Associate International Jurist Commission, Geneva, Member, British Institute of Comparative and International Law, London, Member World Jurist Association, Washington, Member of International Nuclear Law Association Brussels.

1.6 Hon'ble Mr. Justice Noor Muhammad Meskanzai, Chief Justice, Federal Shariat Court of Pakistan.

Hon'ble Mr. Justice Noor Muhammad Meskanzai was born on 1st September, 1956 at Kharan, Balochistan. He graduated from the Balochistan University and did his LLB from the University Law College, Quetta in 1980.

Started legal career in September 1981. Also rendered his services as Legal Advisor for Custom and PTCL and was appointed as Assistant Advocate General Balochistan in 1998, later, elected as Vice Chairman, Balochistan Bar Council in 2005 and as Chairman Executive Committee for two terms, also



worked as Chairman, Inter Provincial Relations Committee, Balochistan Bar Council and Member Common Wealth Legal Education Association.

Mr. Justice Muhammad Noor Meskanzai attended several national and international workshops and conferences. In 2015, he headed a delegation of Judges from all over Pakistan to participate in a Workshop on “Judicial sharing of experiences Intellectual Property Rights Enforcement Exchange Programme” held at Washington DC, USA.

Mr. Justice Noor Muhammad Meskanzai was elevated as Additional Judge, High Court of Balochistan on the 7th September 2009. His Lordship took oath as Chief Justice, High Court of Balochistan on 26th December, 2014. And appointed as the Chief Justice, Federal Shariat Court on 15th May 2019.

1.7 Hon'ble Mr. Justice Ahmed Ali M. Shaikh, Chief Justice, High Court of Sindh



Hon'ble Mr. Justice Ahmed Ali M. Shaikh was born on 3rd October, 1961, graduated from Government Degree College, Larkana and received law degree from Shah Abdul Latif University, Khairpur. Enrolled as an Advocate of High Court on 15th March, 1993, elected as Vice President and General Secretary District Bar Association Larkana for the years 1994 and 1995 respectively. In 2008, he was elected as a President, High Court Bar Association, Larkana.

Hon'ble Mr. Justice Ahmed Ali M. Shaikh was elevated as an Additional Judge, High Court of Sindh on 25th September, 2009. His Lordship took oath as Chief Justice, High Court of Sindh on 15th March, 2017.

1.8 Hon'ble Mr. Justice Qaiser Rashid Khan, Chief Justice, Peshawar High Court

Hon'ble Mr. Justice Qaiser Rashid Khan was born in Malakand Agency on 31st March, 1961, graduated from Islamia College, Peshawar and received his Law degree from Khyber Law College, Peshawar in 1981.



Hon'ble Mr. Justice Qaiser Rashid Khan started practice as an advocate in 1984, and was enrolled as an Advocate of the High Court in 1991 and of the Supreme Court of Pakistan in 2008. His Lordships remained member of the Provincial Bar Council for two consecutive terms and of the Pakistan Bar Council in 2010, also served as an Additional Advocate General, Khyber Pakhtunkhwa.

His Lordship's judicial career started in 2011 as an Additional Judge. His Lordship headed Election Tribunal, and worked on important positions as In-charge Judge High Court Administration Committee, Chairman Khyber Pakhtunkhwa Subordinate Judiciary Services Tribunal, and remained Member of the Committee for Enhancing Environmental Justice.

His Lordships took oath as Acting Chief Justice of the Peshawar High Court on 16th November, 2020 and as Chief Justice Peshawar High Court on 9th January, 2021.

1.9 Hon'ble Mr. Justice Muhammad Ameer Bhatti, Chief Justice, Lahore High Court



Hon'ble Mr. Justice Muhammad Ameer Bhatti was born on 8th March, 1962 at Burewala, District Vehari. His Lordship graduated from University of the Punjab and did LLB in 1985 from Bahauddin Zakariya University, Multan. Started career as Advocate in 1986, and was enrolled as an Advocate High Court in 1988 and as Advocate Supreme Court of Pakistan in 2001. Elected as General Secretary, High Court Bar Association, Multan in 1999.

His Lordship remained member of International Bar Association London (1991-1994) and member of the American Bar Association (ABA) (2000-2002). During this period, he participated in national and international seminars and conferences.

Hon'ble Mr. Justice Muhammad Ameer Bhatti was elevated as Additional Judge, Lahore High Court and took oath as 51st Chief Justice of the Lahore High Court on 7th July, 2021.

1.10 Hon'ble Mr. Justice Naeem Akhtar Afghan, Chief Justice, High Court of Balochistan

Mr. Justice Naeem Akhtar Afghan was born on 29th June, 1963. Graduated in Economics and Statistics from Degree College, Quetta in 1985 and completed LLB from University Law College, Quetta in 1988. Enrolled as an Advocate of the High Court of Balochistan on 30th September, 1989 and of the Supreme Court of Pakistan on 12th May, 2001. His Lordship's legal career expands over 21 years during which he conducted numerous criminal, civil and constitutional cases that have been reported in law journals. His Lordship served on many important positions and remained



member of different committees and organizations like member of the Alternate Dispute

Resolution (ADR) Committee. His Lordship also represented Pakistan in the workshop on ‘Technology and Courts of the Future’ conducted under the auspices of Singapore Judicial College, Singapore in September, 2020.

Hon’ble Mr. Justice Naeem Akhtar Afghan was elevated as Additional Judge, High Court of Balochistan on 12th May 2011. His Lordship took Oath as Chief Justice of the High Court of Balochistan on 9th August, 2021.

1.11 Hon’ble Mr. Justice Aamer Farooq, Chief Justice, Islamabad High Court



Hon’ble Mr. Justice Aamer Farooq was born on 26th April 1969. He got his Senior Cambridge certificate in the year 1986 from St. Anthony’s High School Lahore and Higher Senior Cambridge certificate from Aitchison College in 1988. He secured his LLB degree from London University, UK and qualified as Barrister-at-Law from Lincoln’s Inn, London in the year 1993. Enrolled as an Advocate of the High Court in the year 1994 and as an Advocate of the Supreme Court of Pakistan in the year 2007.

Hon’ble Mr. Justice Aamer Farooq established his law practice at Lahore with an Office at Islamabad, dealing mostly with banking, commercial, tax and civil matters. Since 2009 until his elevation, remained part of adjunct faculty at Lahore University of Management Sciences.

Hon’ble Mr. Justice Aamer Farooq took Oath as an Additional Judge of Islamabad High Court on 1st January 2015 and took Oath as the 6th Chief Justice Islamabad High Court on 11th November, 2022.

1.12 Hon'ble Mr. Justice Mian Muhammad Ajmal, Former Judge, Supreme Court of Pakistan

Hon'ble Mr. Justice Mian Muhammad Ajmal completed master in Economics in 1963 and obtained LL.B degree. Enrolled as an Advocate on 04.08.1965 and Advocate of the High Courts in 21.10.1988. Enrolled as an Advocate of the Supreme Court of Pakistan on 16.11.1976. Served as special Public Prosecutor for ADR cases in 1978-1980 also as Law Officer in Advocate General Office Peshawar in 1980-84. Also served as Deputy Attorney General for Pakistan, NWFP, and appointed as Additional Judge, Peshawar High Court on 29.09.1991 and



appointed as judge of the on 29.09.1993. As judge of the Peshawar High Court, he served as Judge of Special Court for Speedy Trials, Peshawar, Judge Banking Court, NWFP, Chairman of the Tribunal of the NWFP Bar Council, Chairman, Labour Appellate Tribunal, NWFP.

Appointed as Chief Justice Peshawar High Court on 06.01.2000. During the period from 06.01.2000 to 27.04.2000 remained Member of the Supreme Judicial Council, Pakistan Law Commission, Chief Justices Committee and Al-Mizan Foundation as senior most Chief Justice amongst the Chief Justice of the High Courts. Elevated as Judge, Supreme Court of Pakistan on 28.04.2000 and retired as Senior Judge, Supreme Court of Pakistan on 14.08.2004. His Lordship is appointed as Member of the Law and Justice Commission of Pakistan for the period of three years on 15.02.2022 from the Province of Khyber Pakhtunkhwa.

1.13 Hon'ble Mr. Justice Muhammad Sair Ali, Former Judge, Supreme Court of Pakistan



Hon'ble Mr. Justice Muhammad Sair Ali graduated from Government Collage Lahore in 1966 and received his LLB degree in 1968 from University of the Punjab. Enrolled as an Advocate in 1969, and Advocate of the High Courts of West Pakistan in September 1971. Later, enrolled as an Advocate of the Supreme Court of Pakistan in May 1978. Practiced as an Advocate and Legal Consultant for over thirty years and conducted Constitutional, Civil, Commercial, Corporate, Banking, Arbitration, Labour and Land cases in Pakistan and abroad, including cases under the Rules of Conciliation and Arbitration of the International Chamber of Commerce, Court of Arbitration and on matters relating to foreign arbitrations and disputes, also drafted and structured various commercial contracts and deeds.

Mr. Justice Muhammad Sair Ali also served as visiting faculty member at various law colleges, to share his knowledge in relevant subjects. Remained Consultant Editor (Corporate Law) of monthly law journal "National Tax Reporter (NTR)" from 1992 to April, 2001. Translated "*UNITED NATIONS ENVIRONMENTAL PROGRAMME (UNEP) DOSSIER ON "CLIMATE CHANGE"*" in recognition of which he was conferred an International Award in 1992-93. His academic work, Translation of Christopher Codwell's "Birth of Property" was published in the book titled "NAI TANQEED".

In addition to his participation in a number of Conferences, also attended an International Conference on "Environment and Environmental Law" in New Delhi, India (1992) and Conference in Beijing, China on "Model Documentation for Technology Transfer" (1992).

His Lordship was appointed as a Judge of the Lahore High Court on 2nd May 2001, and elevated as Judge of the Supreme Court of Pakistan on 14th April, 2009 and retired in 2011. His Lordship is re-appointed as Member of the Law and Justice Commission of Pakistan for the period of three years w.e.f. 15.02.2022 from Province of the Punjab.

1.14 Hon'ble Mr. Justice Faisal Arab, Former Judge, Supreme Court of Pakistan

Mr. Justice Faisal Arab was born on 5th of November, 1955. He passed his matriculation examination from the Gulistan Shah Abdul Latif Bhitai School Karachi and Graduated from the Government Commerce and Economics College Karachi in 1978.



After doing LLB from Sindh Muslim Law College Karachi joined renowned and prestigious law firm of Fakhruddin G. Ebrahim and Company. Enrolled as an Advocate of the District Courts in 1990 and of the High Court in 1992. He worked as an Associate in the law firm of SurrIDGE and Bacheno Karachi and from 1990 to 2000 as an Associate at Fakhruddin G. Ebrahim and Company.

In 2000, he established a law firm in the name of "Faisal Arab and Associates". Appointed as Standing Counsel by the Federal Government in October 2004. He was enrolled as an advocate of the Supreme Court of Pakistan in July 2005.

Mr. Justice Faisal Arab was appointed Judge of the High Court of Sindh on 25th of October, 2005. He was appointed as Member, Election Commission of Pakistan for Sindh and as a member of the Federal Review Board, constituted under Article 10 of the Constitution in November, 2009.

On 20th November 2013, he was appointed the President of the three-member bench of the Special Court constituted under the High Treason (Punishment) Act, 1939 to try the former President of Pakistan.

Hon'ble Mr. Justice Faisal Arab was appointed the Chief Justice of High Court of Sindh on 17th February, 2015. On 14th December, 2015 he was elevated as a Judge of the Supreme Court of Pakistan and retired on 4th November, 2020.

On 15.02.2022, on the recommendations of the Hon'ble Chief Justice of Pakistan/Chairman, Law and Justice Commission of Pakistan, Mr. Justice Faisal Arab was appointed as Member of the Commission from the Province of Sindh. The Hon'ble Chief Justice of Pakistan / Chairman, LJCP has appointed Mr. Justice Faisal Arab as Chairman of the Technical Evaluation Committee (TEC) mandated to evaluate and recommend projects for funding under Access to Justice Development Fund (AJDF).

1.15 Hon'ble Mr. Justice Iqbal Hameed Ur Rahman, Former Judge Supreme Court of Pakistan.



Hon'ble Mr. Justice Iqbal Hameedur Rahman was born in Dacca in 1956. On the elevation of his illustrious father as judge of the Supreme Court of Pakistan, the family shifted to Lahore in 1960, where Mr. Iqbal Hameedur Rahman started his primary education from St. Anthony High School, Lahore. After doing his Matriculation from the said institution, he joined Government College Lahore, from where he did his Intermediate in 1973 and Graduation in 1975. He obtained his professional degree of LL.B.

from the Punjab University, Law College, Lahore in 1980. In addition he also obtained diploma in Labour Laws from the Punjab University Lahore. He started his professional career as an Advocate in 1981 from the District and Civil Courts in Lahore and was enrolled as an Advocate of High Court in 1983 and as an Advocate of Supreme Court in 1997. In 1998, he was elected as the Secretary Lahore High Court Bar Association. In 2006, he was elevated as an Additional Judge of the Lahore High Court and was confirmed as a permanent Judge on 27.10.2007. His lordship chaired the Inquiry Commission on “Violent protest at Gojra over desecration of the Holy Quran (2009)”.

After the promulgation of Provisional Constitutional Order 2007, he was asked to take oath under the PCO but refused and stood for rule of law to preserve the dignity and honor of his institution and the Constitution of Pakistan.

After passing of the 18th Constitutional Amendment and establishment of Islamabad High Court, he was elevated as the first constitutional Chief Justice of the Islamabad High Court on 03.01.2011 and appointed as Judge Supreme Court of Pakistan on 25.02.2013.

He is also associated with Virtual University and a Member of Majlis-e-Amla, Anjuman-e-Himayat-i-Islam, also holding a position of Vice President of the Anjuman.

He also remained Member, Election Commission of Pakistan from the Province of Punjab before 18th Constitutional Amendment.

His Lordship is appointed as Member of the Law and Justice Commission of Pakistan for the period of three years w.e.f. 15.02.2022 from Federal Capital.

1.16 Ms. Nilofar Bakhtiar, Chairperson, National Commission on the Status of Women

Ms. Nilofar Bakhtiar graduated from University of Punjab in 1976 and proceeded to USA for further studies. She completed her Masters in Tourism from Cornell University, New York in 1978, did Diploma in Hotel and Tourism from Austria and Post Graduate Diploma in Public Management from the Carnegie Mellon, Pittsburgh, USA in 1987.



She was elected as Senator of the Senate of Pakistan and remained Federal Minister for Tourism, Minister for Women Development, Special Education and Social Welfare. She also served as International Director/Past International Director, Lions Clubs International in 1999. She remained Special Advisor to Secretary General, UN-WTO (World Tourism Organization) from 2007 to 2011, Founder and Chairperson, BARDASHT (NGO), Vice-President, Al-Shifa Eye Trust, Rawalpindi, Vice-Chairperson and Chairperson Pakistan Red Crescent Society (PRCS) in 2009.

Her contribution for human rights protection is remarkable especially for gender related issues, have rich experience of working in various national and international organizations. On 28th July, 2021, she was appointed as the Chairperson of National Commission on Status of Women (NCSW) for 3 years. She took charge of the Office on 29th July, 2021.

1.17 Raja Naeem Akbar, Secretary, Ministry of Law and Justice



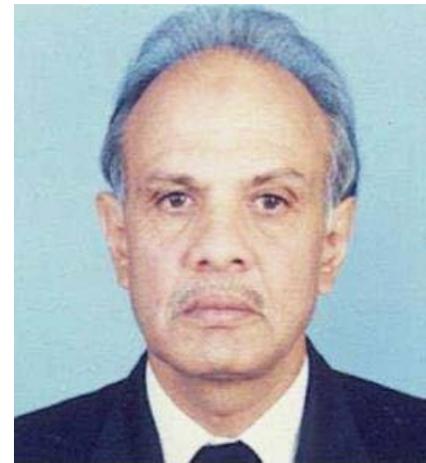
Raja Naeem Akbar did his LLB in 1999 and Masters in Political Science in 2000 from University of Punjab. He got his LLM degree from the University of Wolver Hampton UK in 2004.

He started his career as an Advocate in 2004. He worked as Deputy Director (Law) at Securities and Exchange Commission of Pakistan till 2011, as Deputy Legislative Adviser (MP-III), Ministry of Law and Justice in 2011, Legislative Adviser (MP-II) in 2016, Senior Consultant (C) (MP-I) in 2019 and he was appointed Federal Secretary Law in 2020.

During his career he assisted many committees, organizations, and departments through his technical skills and expertise. He also introduced Android App and launched website www.pakistancode.gov.pk. He remained part of the process of inking various Memorandum of Understandings (MoUs) with different organizations and executed treaties on behalf of the Government of Pakistan.

1.18 Syed Ayaz Zahoor, Advocate Supreme Court of Pakistan

Syed Ayaz Zahoor was born on 16th March, 1954 at Quetta, Balochistan. He was enrolled as an Advocate in 1976, Advocate of the High Court in 1978, Advocate Supreme Court in 1990 and became Senior Advocate Supreme Court in 2008. Syed Ayaz Zahoor conducted hundreds of Civil, Criminal, Cooperate, Service, Labour cases and several reported cases are at his credit. He remained General Secretary of the Balochistan High Court Bar Association, and Executive Member of the Supreme Court Bar Association. He also served at the position of Deputy Attorney General from 1998 to 2020 and remained Member Pakistan Bar Council for a period of 5 years. He was appointed as Member of the Law and Justice Commission of Pakistan for 2nd term of three years on 15.02.2022 from the Province of Balochistan.



1.19 Ms. Riffat Inam Butt, Secretary, Law & Justice Commission of Pakistan

Ms Riffat Inam Butt joined the Law and Justice Commission as the first female Secretary in Jan 2022. Ms Butt is a Fulbright Humphrey Fellow with rich and diversified legal experience of around 20 years. She has worked with national and international institutions in public international law, legal research, legislative drafting, organisational management and administration. Throughout her illustrious professional career, she acquired a comprehensive understanding of the legal system of Pakistan while serving as a lawyer, judge, consultant, and now heading the Secretariat of Law and Justice Commission of Pakistan.



Ms Butt has contributed to the drafting of various international reports, including country reports on the International Covenant on Civil and Political Rights, United Nations Convention on Torture, Convention on Elimination of all Forms of Discrimination Against Women, International Convention on Elimination of Racial Discrimination, as well as country reports on the Fundamental Conventions of International Labour Organization. Her other publications on legal and social issues in Pakistan include Lacunas in Pro-Women Legislation, Pakistan: NGO Alternative Report on CEDAW, review of Labour Laws of Khyber Pakhtunkhwa (KP) from Gender Perspective, the Implications of Ratification of CEDAW's Article 16 in Pakistan, and Kulbhushan, International Courts of Justice & Pakistan.

She has participated as a speaker in local and international training events and workshops on criminal and social justice, human rights, mutual legal assistance, terrorism and money laundering. She attended international training programs on International Anti-Terrorism/Anti-Piracy (IATP) NITC, Florida, USA, Regional Course in International Law – UN Fellowship, Bangkok, Thailand, AALCO – China Exchange Program on International Law at Xiamen Academy, China and Project Management Certificate training from American Management Association, NY, USA. She has also contributed as adjunct faculty at reputed Law Schools and led various professional training academies in the country and abroad.

Ms Butt holds a Masters of Law (LLM) degree from the University of Minnesota, USA. The US State Department granted her the prestigious Hubert H. Humphrey Fellowship.

During her tenure as Secretary Law & Justice Commission of Pakistan, she has initiated and continues to oversee the national effort on institutionalising Alternate Dispute Resolution in Pakistan; Reviewing Arbitration Laws in Pakistan for efficient, expert and enforceable dispute settlement mechanism; modernizing the Court System through automation and court technology; Prison Reforms in Pakistan particularly, creating facilities for the female prisoners; and establishment of Gender Based Violence courts.

Under her leadership, the Commission has organized national and international conferences to cover several issues of national importance. The events highlighted the importance of improving commercial law and business climate with changing landscape in the region.

2 The Law and Justice Commission of Pakistan (LJCP)

2.1 Overview of Law and Justice Commission of Pakistan

The Law and Justice Commission of Pakistan is a statutory body established in 1979 with the mandate to review the statutes and other laws of the country to make recommendations to the Federal and Provincial Governments for their improvement, modernization and reforms.

The Commission is headed by the Chief Justice of Pakistan and comprises thirteen other members including the Chief Justices of the Federal Shariat Court and High Courts, Attorney General for Pakistan, Secretary Ministry of Law and Justice, Chairperson of the Commission on Status of Women and four non-official members representing provinces. The Commission has its own Secretariat located at Islamabad.

2.2 Mandate and Functions of the Commission

The Commission is mandated to perform critical functions to facilitate the reform process of modernizing the legal system and formulating effective and workable policies to strengthen the administration of justice in the country, prepare and operate schemes for access to justice, take measures for developing and augmenting human resource for efficient court administration and management of Case-flow and coordinate between the judiciary and executive authorities of the federal and provincial governments on administrative, financial and other matters.

The Commission has approved 138 law reform reports, out of which 47 have been implemented while 31 reports are partially implemented by the Federal and Provincial Governments. The Secretariat of the Commission also operates a legal awareness program '*Qanoon Fehmi*' under which Urdu Write-ups on laws, fundamental rights and legal issues pertaining to public interest are being prepared and published for public awareness. So far, 446 laws have been translated and published in booklets.

In addition, the Commission's Secretariat provides secretarial assistance to the National Judicial (Policy Making) Committee (NJPMC), National Judicial Automation Committee (NJAC) and the Access to Justice Development Fund (AJDF). The Commission's Secretary is designated as Secretary to these Committees and Governing Body of AJDF.

2.3 LJCP Secretariat and its Employees

The Secretariat of the Commission is headed by the Secretary, Ms. Riffat Inam Butt, first ever female Secretary of the Commission, and comprises other officers and ministerial staff. For better administration, the Commission's Secretariat has been divided into following three wings:-

2.3.1 Administration and AJDF Wing

The Administration Wing is headed by Joint Secretary, Mr. Nasrullah Khan who is supported by Deputy Secretary (Admin) and a Section Officer (Admin).

The Joint Secretary (Admin) also heads the AJDF Wing where he is assisted by Deputy Secretary (Fund). Other officers of the AJDF Wing include a Research Officer and a Section Officer (Audit and Accounts).

2.3.2 Research and Library Wing

The Research Wing is headed by Joint Secretary, Ms. Nadia Ikram Malik. A Deputy Secretary, a Research Officer and a Section Officer (Law) assists the Joint Secretary in discharging her duties. The Joint Secretary - Research also supervises the Library affairs.

2.3.3 NJPMC and MIS Wing

The NJPMC Wing is headed by Joint Secretary, Mr. Jawad Khan, who is supported by Deputy Secretary and a Research Officer. The Joint Secretary (NJPMC) also supervises the MIS Wing comprising MIS Manager and two Computer Programmers.

3. The Research Wing:

The Research Wing of the Secretariat assists the Commission in carrying out regular systematic review of the statutes and suggest law reforms. Since inception, 138 Law Reform Reports have been approved by the Commission and shared with the Federal and Provincial Governments, out of which 78 have been implemented either partially or completely.

The Research Wing is performing a significant role in operating and implementing an awareness campaign “**Qanoon Fehmi**” for promoting rule of law in the society by making the society law conscious. Under this initiative, so far 448 Urdu write-ups on laws and legal issues have been published and disseminated through print and electronic media.

3.1 Simplification of Laws

During the year 2022, the Research Wing devised new strategy to increase the outreach of awareness campaign by preparing write ups in English and Urdu to promote understanding about the new legislation. In this regard, write-ups on following new legislation were prepared, publicized, circulated and disseminated to masses in form of brochures:-

- i. The Letters of Administration and Succession Certificates Act, 2020;
- ii. The Islamabad Capital Territory (ICT) Senior Citizen Act, 2021 and
- iii. The ICT Rights of Persons with Disability Act, 2020.

Copies of the brochures were shared with government departments, institutions, Bar Associations and public libraries etc. In collaboration with the Mass Transit Authority, the Commission’s Secretariat also circulated and disseminated the Information, Education and Communication (IEC) material in the form of brochures, posters and pamphlets for display in buses, at bus terminals in Islamabad, Lahore, Multan and at terminals of the Lahore Orange Line Metro Train.

3.2 Initiative for Institutionalization of Alternate Dispute Resolution (ADR) System in Pakistan:

The Judicial System of Pakistan is overburdened due to increased litigation and huge backlog causing delays in dispensation of justice and expeditious disposal of cases. For clearance of

backlog and expeditious disposal of cases, the Secretariat devised strategy to implement ADR Legal framework in Pakistan and to promote awareness about Resolution of Disputes through ADR.

3.2.1 Constitution of Alternate Dispute Resolution (ADR) Committee

The Hon'ble Chief Justice of Pakistan constituted ADR Committee under the chairmanship of the Hon'ble Mr. Justice Ijaz Ul Ahsan, Judge Supreme Court of Pakistan to sensitize the Federal and provincial governments for effective implementation of ADR laws including establishment of ADR centers, notifying accreditation authorities and appointment of neutrals, mediators etc. A judge from each High Court has been included in the ADR Committee as a member to supervise the implementation of ADR laws in their respective jurisdiction.

3.2.2 Terms of Reference of ADR Committee

- i. To make recommendations to the Federal and Provincial Governments to expedite subordinate legislation under their respective laws.
- ii. To sensitize the Federal and Provincial Governments to fulfil their responsibilities under respective ADR laws, inter alia, establishments of the ADR centres, nominations of accreditation and certification authority and notification of panels of neutrals, mediators, conciliators, arbitrators and experts and to cater for other infrastructural and human resource requirements;
- iii. To urge High Courts to invoke the provisions of ADR laws and mechanisms wherever applicable in respective jurisdictions;
- iv. To arrange training sessions through the Federal Judicial Academy and the Provincial Judicial Academies in collaboration with LJCP on ADR for judges and other stakeholders including lawyers, experts and professionals etc.
- v. To sensitize the Pakistan Bar Council, Provincial Bar Councils and the District Bar Associations to create awareness about ADR mechanisms and also encourage and arrange training of lawyers;
- vi. To create awareness amongst the general public about legislative and structural framework of ADR and its benefits.
- vii. any other initiative required to meet the objectives of ADR legislative framework.

3.2.3 Meeting of the ADR Committee during the year 2022:



First Meeting of the ADR Committee dated 24 November 2022

In its first meeting held on 24th November, 2022, the ADR Committee reviewed the implementation status of ADR laws in the provinces including ICT.

Ms. Riffat Inam Butt, Secretary LJCP, presented an overview of the prevailing ADR legal framework and shared activities' plan for each province with timelines to achieve the objective of ADR laws. The members of the Committee shared the initiatives taken in their respective jurisdiction for effective implementation of ADR laws. The Hon'ble Chair urged the federal and provincial governments to establish ADR centres, notify certification and accreditation authorities and ensure provision of necessary funds to institutionalize the ADR mechanisms.

3.2.4 Meeting with the Judicial Academies:



On 14th of December, 2022, the Hon'ble Chairman, ADR Committee met with Directors General of Federal and Provincial Judicial Academies to discuss the role of academies in implementation of ADR legal framework in Pakistan. The representatives of judicial academies shared the outlines of training programmes and manual on ADR developed by respective judicial academy. The Hon'ble Chairman emphasized on development of a uniform training manual on ADR, identification of master trainers and launch of training programmes. A working group comprising representatives of the federal and provincial judicial academies and LJCP was constituted to develop a uniform training module on ADR.

3.2.5 Achievements of ADR Committee

i. Establishment of Mediation/ADR Centers

Court annexed mediation centres are established at Karachi, Hyderabad, Sukkur and Quetta where certified mediators are providing services for amicable settlement of disputes. In addition, two private organizations i.e. Legal Aid Society (LAS) and Institute of Business Administration Karachi (IBA) have also been notified as Accredited Mediation Centres.

In Islamabad, an ADR Centre and Service providers for family disputes are also notified for ICT. The Government of Khyber Pakhtunkhwa has notified Panel of saliseen (service providers) in all the districts across the province.

ii. Other initiatives to implement ADR Laws

- a) An ADR Implementation & Liaison Centre is established in Lahore High Court to collect data of cases referred and settled through ADR and to monitor the implementation of ADR laws.
- b) Law Department of Sindh has established Sindh Legal Advisory Call Centre to respond the public queries about ADR mechanisms. The Government of Sindh is also implementing an awareness campaign by affixing awareness posters on auto rickshaws.

iii. Capacity Building and Trainings

- a) Federal and Provincial Judicial Academies, Law Department of Sindh and Ministry of Law have conducted webinars, seminar, workshops, symposium and training sessions on ADR for judges and lawyers in various cities including Islamabad.

- b) The LJCP Secretariat in collaboration with Federal and Provincial Judicial Academies developed a training manual on ADR for judges, lawyers and etc.

3.2.6 Constitution of Arbitration Laws Review Committee

Taking the cognizance of the fact that Pakistan requires holistic legislation to deal with matters relating to domestic as well as foreign arbitration, the Hon'ble Chief Justice of Pakistan/Chairman, LJCP has taken a landmark initiative to constitute an "Arbitration Law Review Committee" (ALRC) under the chairmanship of the Hon'ble Mr. Justice Mansoor Ali Shah, Judge Supreme Court of Pakistan and stakeholders from Ministry of Law and Justice, Board of Investment, two Senior practitioners on Arbitration and Secretary LJCP are the members of the Committee. The ALRC is mandated to analyze the existing legislating on the arbitration in Pakistan and recommend suitable measures including the revised legislation on arbitration aligned with UNCITRAL Model Law. The Committee is preparing draft of legislation on Arbitration in Pakistan that will be proposed as new law on Arbitration in Pakistan.

3.3 Analysis of Rule of Law Index Report, 2021 of World Justice Project (WJP)

The World Justice Project (WJP) published Rule of Law Index Report in October 2021, ranking Pakistan at 130th out of 139 countries. The methodology employed to rank raised questions about the mode of survey, unrepresentative sample size and lack of input from stakeholders. Further, the data collected was based on a 'presumptive scenario' and 'perception' of irrelevant respondents.

The title of the report 'Rule of Law Index' also creates an impression that it is focused on the performance of the judicial organ of the state. The inherent problem of the expression 'rule of law' is that it is a frequently used term but rarely defined. A globally accepted definition of the rule of law is yet to be agreed upon by the nations. Given this, there is a need to distinguish between the judicial system and the rule of law. It appears the report fails to appreciate relationship between the two.

Highlighting the performance of Judiciary during the COVID pandemic, LJCP Secretariat drawn the attention of World Justice Project to consider the subject issues in its evaluation process to present true and accurate picture relating to Pakistan's judiciary.

3.4 Library of the Secretariat

The Commission has its own library having collection of more than 12500 books on diversified subjects including religions, research, sociology and law. Besides, different online databases have been acquired to assist the researchers by ensuring availability of latest research material.

The Commission's Secretariat has also acquired subscription of British Council Digital Library to access multi-disciplinary academic databases and renowned research online journals), 'JSTOR' (collection of academic journals, books, and primary sources) and 'ProQuest' (powers research in academic, corporate, government and public libraries) and a wide variety of collection of newspapers and magazines.

3.4.1 Letter of Understanding (LoU) with National Library of Pakistan

In order to expand the mutual collaboration with other Institutions to promote research which is the core function of the secretariat, the Law and Justice Commission of Pakistan (LJCP) and the National Library of Pakistan (NLP) has jointly signed a Letter of Understanding (LoU) to work together to share resources (books, newspapers, journal and magazines) for mutual benefit of the institution. The LoU will not only formally support the NLP and LJCP institutional relationship but would also provide a platform to the dedicated researchers to approach the repositories of both the institutions for qualitative research. This initiated collaboration between LJCP and NLP, built on mutual trust and respect. The primary area of collaboration is visiting both the libraries to use the available materials, allowing the institutions to exchange knowledge and resources as needed. The Officers and staff of both the libraries have easy access to the libraries. It was agreed that the resources exchanged may not be sold or in any case used for commercial purpose and each party shall respect privacy and will maintain requisite confidentiality about the information belonging to other party.



3.4.2 Visit of delegation of the 64th Regular Shariah Course:

The delegation of the 64th Regular Shariah Course, International Islamic University, Islamabad visited the Secretariat of the Law and Justice Commission of Pakistan and the officers of the Secretariat briefed about the mandate and working of the Law and Justice Commission Secretariat.



3.5 9th International Judicial Conference | *Administration of Justice: 75 Years -Reflecting on the Past and Looking Towards the Future*

To commemorate 75 years of independence and draw a roadmap for the future to ensure better administration of justice and rule of law in the country, the LJCP Secretariat organized 9th International Judicial Conference on 23rd and 24th September, 2022 in the Supreme Court of Pakistan, Islamabad. The core theme of the Conference “**75 Years - Reflecting on the Past and Looking Towards the Future**” was designed to evaluate journey of 75 years in the process of dispensation of justice by setting targets for improving service delivery of various organs of the State including other stakeholders such as Police, Prosecution and other Government Departments.

The Conference was an incredible success and had a great turnout with participants ranging from members of the superior & district judiciary, the legal community, executives, academia and others. The event focused on key areas including the role of various stakeholders in the administration of justice, global challenges, dispute settlement mechanism and delivery of justice in the era of digital advancement. Prominent national and international experts exchanged their views providing valuable insight on how to confront emerging challenges.



Inaugural Session – 9th International Judicial Conference

3.5.1 Thematic Sessions of the Conference

The opening session of the Conference was chaired by the Hon'ble Chief Justice of Pakistan, Mr. Umar Ata Bandial. His Lordship highlighted the role of the judiciary in maintaining the rule of law and upholding the supremacy of the Constitution. Other speakers, the Acting Chief Justice of the Federal Shariat Court, the Acting Chief Justice of the Supreme Appellate Court Gilgit-Baltistan, the Chief Justices of the Sindh High Court, Lahore High Court, Peshawar High Court, High Court of Balochistan and the Additional Attorney General for Pakistan also spoke about the role of judiciary in maintaining Rule of Law and upholding supremacy of the Constitution.



Hon'ble Mr. Justice Umar Ata Bandial, Chief Justice of Pakistan during his address in the opening session

Other thematic areas of the Conference were as under

Session-II: Where do we go from here? Role of Police, Prosecution Lawyers and Academia in Administration of Justice

The 2nd Session analyzed the role of police, prosecution, lawyers and academia in the administration of justice. The experts highlighted the strengths and shortcomings of justice sector institutions and suggested way-forward for effective dispensation of criminal justice in society.

The Session was chaired by the Hon'ble Mr. Justice Yahya Afridi, Judge Supreme Court of Pakistan. The topics and speakers of the Session were as under:-

a) Role of Police in Administration of Justice and promoting rule of Law

Mr. Abdul Khaliq Shaikh, Inspector General of Police, Balochistan

- b) Role of Prosecution in Administration of Justice and promoting rule of Law**
Barrister Khaliq-Uz-Zaman Chaudhary, Prosecutor General, Punjab
- c) Role and contribution of Lawyers in upholding rule of Law and future prospects.**
Barrister Salahuddin, Ex-President Sindh High Court Bar Association, Karachi
- d) Legal Education: Need of reforms in 21st century for improving the quality of justice delivery**
Ms. Hadia Awan, Dean, Faculty of Law, UCP
- e) Institution of ombudsman and administrative justice.**
Mr. Ejaz Ahmad Qureshi, Federal Ombudsman



Session-III: Current Global Challenges and Response of the Judiciary

In this Session, the response of the judiciary to address global challenges like water scarcity, population growth, gender inequality, climate change and terrorism came under discussion. The experts representing their respective fields emphasized the impact of these issues on the society and urged to develop cohesive and coherent policies to address the emerging challenges.

The Hon'ble Mr. Justice Qazi Faez Isa, Senior Puisne Judge Supreme Court of Pakistan chaired the Session. The topics and speakers of the Session were as under:-

- a) **Population Growth in Pakistan: Legislative framework, demographic analysis, implications and the way forward**
Dr. Bakhtior Kadirov, Country Head, UNFPA, Pakistan
- b) **Water: too little and too much-disruption of the water cycle and its impacts: legal frameworks and institutional obligations.**
Dr. Erum Sattar, Barrister and Professor, Tufts University, USA
- c) **Emerging issues and innovations in climate justice and governance to implement the United Nation Convention on Climate Change (UNFCCC) case of Pakistan**
Mr. Ali Tauqeer Sheikh, Senior Climate Change Expert
- d) **FATF concerns about Pakistan: adherence to global best practices, Judicial response and strengthening the legislative framework**
Mr. Mohammad Iqbal, Director General DNFBPs/Chief Commissioner, Large Taxpayers Office, FBR, Islamabad
- e) **Inculcating gender responsive approach in judicial system**
Mrs. Fauzia Viqar, Ex-Chairperson, PCSW



Session-IV: Economic Challenges and Disputes Settlement Mechanisms: Legislative Response and The Roadmap For The Future

In this Session, the speakers highlighted the role of Arbitration in commercial disputes, the use of technology in resolving disputes, the importance of ADR Centers and the training of lawyers and judges. They also highlighted the ADR mechanisms and their significance for ultimate economic prosperity given the emerging legal and business climate in the region, global economic challenges, particularly in the backdrop of BRI and CPEC.

The Hon'ble Mr. Justice Ijaz ul Ahsan, Judge Supreme Court of Pakistan chaired the Session. The topics and speakers of the Session were as under: -

- a) **Global developments in Legal framework approach in alternate dispute resolution (ADR)**
Mrs. Justice Abha Nayar Patel, Fellow of the Chartered Institute of Arbitrators, UK.
- b) **Compliance of Environmental, Social Governance (ESG) standards to boost investor confidence: evolving legal and regulatory landscape in the region.**
Mr. Ravi Madasamy, Advocate on ESG Compliance and Regulations, Singapore
- c) **Legal and structural reforms to address the regional and global economic, trade and investment challenges: efforts of the judiciary and way forward.**
Ms. Lenora Riesenburt
- d) **International Arbitrator, Commercial Mediator, NTADR DMCC, Dubai, UAE**
Emerging business (CPEC, E-commerce, BRI, FDI, SEZs, etc.) environment in the region: need for expert, efficient and enforceable dispute settlement mechanisms.
Mian Sheraz Javaid, Chairman of Pakistan Chapter for Chartered Institute of Arbitrators, UK
- e) **Abstract to the concrete: The need to institutionalize Alternate Dispute Resolution to promote economic and trade opportunities in Pakistan.**
Mr. Justice Jawad Hassan, Judge Lahore High Court



Session-V: Justice and Digital advancement: What Lies Ahead?

The Session centered on digital advancement in the legal system to facilitate access to justice and increase the efficiency of judicial processes. Discussion focused on use of technology to improve the service delivery of justice system and its application in the legal profession. The speakers also focused on the need for balancing the rights and freedom of speech in the age of rapidly increasing use of social media. The Hon'ble Mr. Justice Jamal Khan Mandokhail, Judge Supreme Court of Pakistan. The topics and speakers of the Session were as under:-

- a) Justice in the new digital era: digitalization of the courts and its challenges.**
Judge Paul Quan, Executive Director, Singapore Judicial College, Singapore
- b) Use of technology in courts and legal profession: lawyers' perspective.**
Dr. Francisco de Elizalde, Professor, IE University
- c) Global best practices for case management and tackling the backlog.**
Mr. Jaffery Apperson, Vice President of National Center for State Courts, USA
- d) Cyber-crimes in Pakistan: challenges and way forward.**
Mr. Muhammad Jaffar, Director, Cyber Crime Wing, FIA Islamabad
- e) Free speech on social media: filtering methods, rights and future prospects.**
Mr. Justice Babar Sattar, Judge, Islamabad High Court



3.5.2 Launching of a Documentary

In order to mark the significance of historical event of 75th Independence Anniversary of Pakistan, the Law & Justice Commission of Pakistan in collaboration with Pakistan Television Limited (PTV) prepared to highlight the evolution of judicial system in Pakistan, establishment of Supreme Court and High Courts and gradual development of infrastructure, the role of judiciary in upholding the constitutional norms and rule of law in the country. The role of Judges from minority and female judges in the process of dispensation of justice was highlighted.

The documentary glorified the efforts of the Judiciary of Pakistan in constitutionalism in the country particularly under the era of current Chief Justice of Pakistan highlighting the important issues including but not limited to ensuring basic human rights, protection of rights of women/children/minorities and promoting diversity and tolerance, treatment and provision of facilities to prisoners, reforms in education system as well as issues related to natural resources particularly water resources and ever-increasing population etc.

The role of Law & Justice Commission of Pakistan in reformation of laws, protection of fundamental rights ensuring speedy dispensation of justice, implementation of National Judicial Policy, 2009 and provision of free legal aid to deserving litigants through District Legal Empowerment Committees under Access to Justice Development Fund was also commended in the Documentary.



3.5.3 The visit of Hon'ble Chairman, LJCP to the Secretariat

The Hon'ble Chairman Law and Justice Commission of Pakistan along with the Hon'ble Organizing Committee of the 9th Judicial Conference 2022 visited the Secretariat on **3rd November, 2022** and formally launched the documentary for General Public which is available on the web-page of the Supreme Court of Pakistan and Law and Justice Commission of Pakistan. The Hon'ble Chairman Law and Justice Commission of Pakistan appreciated the Documentary and the efforts of the PTV and LJCP team for their remarkable effort.



4 National Judicial (Policy Making) Committee

The National Judicial (Policy Making) Committee (the Committee/NJPMC) is an apex judicial body chaired by the Hon'ble Chief Justice of Pakistan and comprises upon Hon'ble Chief Justice, Federal Shariat Court and Chief Justices of the respective High Courts. The NJPMC was established under the NJPMC Ordinance in 2002 (No. LXXI of 2002). The functions of the Committee include;

- To coordinate and harmonize judicial policy within the court system and in coordination with the Commission and ensure its implementation.
- Improving capacity and performance of the administration of justice;
- Setting performance standards for judicial officers and persons associated with performance of judicial and quasi-judicial functions.
- Improvement in the terms and conditions of service of judicial officers and court staff to ensure skilled and efficient judiciary; and
- Publication of the annual or periodic reports of the Supreme Court, Federal Shariat Court, High Courts and Courts Subordinate to High Courts and Administrative Tribunals and Special Courts.

4.1 National Judicial Policy:

The Constitution of Islamic Republic of Pakistan, 1973, Article 37(d), ensures inexpensive and expeditious justice for every citizen of Pakistan. According to the Constitution, every citizen is subject to law and his fundamental rights are ensured and protected under provisions of the Constitution. Generally, the adjudication process before courts of law are time consuming due to cumbersome procedures in laws and rules and citizens have to wait for decades for obtaining their genuine rights. However, it is responsibility of every state organ to uphold the task of providing inexpensive and expeditious justice and by using all available recourses within given timelines.

Initially, the National Judicial Policy (NJP) was released on the 30th of May, 2009, and later on it was revised in 2012. The key features of the National Judicial Policy are strengthening independence of judiciary by its separation from the executive and eradicating the judiciary from menace of corruption for presenting a clean and positive image of judiciary and expeditious disposal of cases aiming to ensure expeditious justice. The National Judicial Policy since its commencement have achieved various significant milestones which includes early resolution of

cases, performance evaluation of courts of the Country, evolved different strategies for improvements in working of justice sector organizations, constitution of the Justice Committees (JCs), monitoring of prisoners' rights during confinement, strengthening capacity of the District Judiciary in terms of human resources and infrastructure, establishment of eradication of Corruption Cells in High Courts and Information Technology Integration in to the Judicial sector.

4.2 Objectives of the Policy:

- To reduce and ultimately eliminate backlog at the level of superior as well as subordinate courts.
- To fix time frame for disposal of civil and criminal cases.
- To ensure that the Constitutional principles of equality before law and equal protection of law strictly adherence to law and the Constitution.
- Use of modern techniques/technologies for decision of cases.
- Eradication of corruption and zero tolerance against corrupt practices at all levels.

4.3 Working of the NJPMC Wing:

The NJPMC Wing is headed by a Joint Secretary and along with MIS Wing assists the Secretary, NJPMC in holding meetings of the Committee, completion of agenda items, preparation of minutes and its distribution and forwarding to relevant quarters including government departments and justice sector stakeholders. The NJPMC Wing regularly liaises with the aforesaid departments/stakeholders regarding implementation of the NJPMC directions. Moreover, the Wing also assists the Secretary, NJPMC in holding **National and International Conferences, Seminars and Workshops**, etc.

The NJPMC and MIS Wing regularly compiles the following data,-

- With respect to status of institution, disposal and pendency of Cases, status of vacant posts, infrastructure requirements for Superior Courts as well as District Judiciary, Administrative Tribunals and Special Courts.
- From the Police Departments regarding submission of challans and actions taken against delinquent police officials and data regarding convictions and acquittals from the relevant stakeholders.
- From the provincial Prisons Departments regarding overall prisoners population in jails.

- From the High Courts in form of consolidated Jail Inspection Reports carried out by the Judicial Officers and the Provincial Directorates of Reclamation and Probation for release of persons on probation and parole.

4.4 Activities of the National Judicial (Policy Making) Committee:

In the year 2022, two meetings (50th and 51st, respectively) of the National Judicial Policy Making Committee, were held on the 30th of March, 2022 and 9th of December, 2022, which were chaired by Hon'ble Chief Justice of Pakistan/Chairman National Judicial Policy Making Committee. The object of the said meetings was to examine the implementation status of previous direction of the NJPMC and issuing of policy directives as per statutory mandate.

In the above referred meetings, performance of the courts were reviewed and various issues hindering administration of justice was discussed and deliberated by the respected members for improving performance of the Courts Some important directives made during these meetings are as under, -

- A mutually agreed case management policy would be devised by the High Courts for formulating a uniform and effective mechanism through mutual coordination/consultation to deal with pendency and clearance of backlog.
- For clearance of old cases, the cases filed up to 2017 were classified as "Old Cases".
- The ADR laws and its mechanism could be implemented and adopted for speedy resolution of cases, which should reduce pendency and the High Courts may cooperate with ADR Committee for effective implementation of the ADR Laws in the Country including monitoring of performance of District Judiciary under prevalent mechanism.
- The cases pertaining to the period 1964 till the 2010 be focused for disposal.

- Submissions of challans be streamlined and investigations be completed under statutory period to eliminate delay in disposal of criminal cases.



NJPMC meeting held on 3rd March 2022

- The High Courts would monitor process of submission of challans and issue directions for timely submission of challans to concerned departments (Police and Prosecution).
- Joint efforts would be made by the Prosecution and Investigation Authorities to ensure effective prosecution of cases. Moreover, for capacity building of Prosecutors and Investigating Officers, regular trainings should be conducted.
- Cases of under-trial prisoners be pursued on priority under effective measures.
- The District and Sessions Judges should visit jails periodically to redress issues of jail inmates.
- Repatriation of foreign prisoners, detained even completion their sentence, be expedited by the quarter concerned.
- Special Benches may be designated for deciding pending appeals of convicted and un-confirmed condemned prisoners within shortest time period, besides, bail applications may also be timely disposed of.
- The officers of Federal Board of Revenue may contact offices of the High Courts for assistance to clear backlog of tax cases.
- The number of courts assigned to adjudicate upon gender-based violence cases, may be increased.

- The relevant provincial government may be approached for provision of statistics of Balochistan Levies Force for placing before the NJPMC.
- Performance of the Administrative Tribunals and Special Courts was reviewed and decided that the vacant posts in the Administrative Tribunals and Special Courts may be filled up on priority by the Federal and Provincial Governments.



NJPMC meeting held on 9 December 2022

4.5 Provincial Justice Committees (PJs) and Justice Committee Islamabad (JC-ICT):

The Provincial Justice Committees (PJs) at provincial level and Justice Committee for Islamabad Capital territory have been constituted under directions of the NJPMC given in its meeting dated 30th May, 2015. The core object of constitution of these committees was to work in collaboration with other Justice Sector Institutions to improve process of administration of justice within the Country through improved service delivery and implementation of Rule of Law. The Justice Committees are required to submit performance reports to the NJPMC.

The Hon'ble Chief Justices of the respective High Courts, have been designated as Chairperson of the Justice Committees and the Secretaries of Home, Law, Prosecution departments, and the IGP/PPO, PG, AG, IG Prisons, DG Anti-corruption and the Senior Most D&SJ are the members of Justice Committee. Previously, the Secretary Law and Justice Commission of Pakistan was the Secretary to the Provincial/ICT-Justice Committees. However, in meeting of the NJPMC, held on the 9th of December, 2022, for effective working of PJs at the provincial level, the Registrar of a respective High Court has been designated as Secretary of the relevant Justice Committee.

4.6 Meetings of KPK Provincial Justice Committees (PJC-KPK):

The Peshawar High Court Peshawar arranged 8th and 9th meetings of KPK Provincial Justice Committee, which were respectively held on **the 3rd of February 2022** and **5th of October,**



2022, at Conference Hall of Peshawar High Court, Peshawar. Both the meetings were chaired by Hon'ble Mr. Justice Qaisar Rashid Khan, Chief Justice Peshawar High Court Peshawar/Chairman, PJC- KPK. The Secretary, LJCP, convened meetings as Secretary to the PJC-KPK. In both meetings of the PJC-KPK, inter alia, decided to complete process of acquisition of the land for establishment of Forensic Science Laboratories and further resolved to get progress for Establishment of Observation Home and Juvenile Rehabilitation Center in all Districts of KPK. The PJC directed the Police, Home and Prison Departments to streamline the data integration process for effective Offender Management System and urged for simplification of Inter and Intra Provincial Transfer of Accused. The PJC reviewed Medical Facilities available to prisoners and deliberated for construction of Jail and other infrastructure development for the District Courts etc. In addition, the PJC decided that in areas where no shelter Home or Dar-ul-Aman available a mechanism for shelter of vulnerable segment may be designed and directed the Secretary Social Welfare Department to update the PJC about progress in the matter.

4.7 Launching of the First PJC Secretariat at Peshawar High Court:

The Peshawar High Court (PHC), with due collaboration of United Nations Development Programme(UNDP), and the European Union (EU), inaugurated the first of its kind Provincial Justice Committee (PJC) Secretariat at the PHC to strengthen Khyber Pakhtunkhwa's justice sector. The Secretariat was built by UNDP in partnership with PHC, and financial support for



the project was from the EU under the '**Deliver Justice Project**'. The launching ceremony of Provincial Justice Committee Secretariat was held on the 20th of December, 2022 the event was attended by the Secretary, LJCP. The Secretariat is equipped with a state-of-the-art conference room, control room and a dedicated office to allow PJC to function more efficiently and achieve its institutional objective to ensure effective administration and resolve law, justice, and security challenges at the district and provincial levels by empowering the justice sector in Khyber Pakhtunkhwa.

4.8 Meetings of Balochistan Provincial Justice Committees (PJC Balochistan):

The 4th meeting of Provincial Justice Committee (PJC) Balochistan was held on the **21st of May, 2022** in High Court of Balochistan, Quetta. The meeting was chaired by the Hon'ble Mr. Justice Naeem Akhtar Afghan, Chief Justice Balochistan/ Chairperson PJC Balochistan and convened by the Secretary, LJCP. The PJC Balochistan reviewed implementation of decisions of the previous meeting of PJC held on 30-09-2020.

The Hon'ble Chairperson, PJC-Balochistan said that all the concerned stakeholders may actively plan and execute the training of Investigation Officers of the Police and Levies. The PJC decided that the Balochistan Forensic Science Laboratory need to be operationalized and relevant rules also needed to be framed expeditiously. The Committee resolved that prisons Department should coordinate with Home and Finance Department to ensure necessary funds for food supplies to jails. Moreover, the PJC also directed that the High Court to adopt all modes of service through modern means of communication for effecting service in civil and criminal cases. The Hon'ble Chair directed that data received from Police, Prosecution Departments and Balochistan Levies Force may be provided on the revised templates as prepared by the LJCP Secretariat. The PJC



directed the Home Department and Director General Levies to ensure that data of Levies cases are provided expeditiously to the NJPMC in future. For implementation of the PJC decisions, it was decided that the focal persons from each department may be nominated for holding monthly meetings.

4.9 Meeting of the Justice Committee-ICT (JC-ICT):



In 2022, a meeting of the Justice Committee Islamabad Capital Territory was held on the **21st of February, 2022**, at Islamabad High Court, Islamabad. Hon'ble Mr. Justice Athar Minallah, Chief Justice, Islamabad High Court chaired the meeting and the Secretary, LJCP convened the meeting being Secretary JC-ICT. The meeting was attended by all other members of the JC-ICT. The Committee discussed implementation status of previous directions of Justice Committee and resolved that to expedite progress on different issues and projects related to the ICT, it would be more useful if follow-up meetings may be held on quarterly basis for effective implementation mechanism. The Committee appreciated performance of ICT-Police for successful initiative of Complaint Redressal Mechanism. The JC- ICT constituted a Committee under the Hon'ble Mr. Justice Babar Sattar, Judge IHC, comprising District and Sessions Judge (West), Chief Commissioner-ICT and other stakeholders to oversee IT related coordination and progress on digitalization of criminal justice system.

The issues pertaining to establishment of Prosecution Wing, Co-operative Societies Department, Reclamation and Probation Department and Appointment of Probation and Parole Officers in the ICT, were also taken under consideration by the JC-ICT. The Committee resolved for early

construction of Model Jail, Islamabad and also directed that the work on National Forensic Laboratory may be completed on fast track. The Committee decided that ICT-Administration and Revenue Authorities should address all the issues highlighted during the meeting to establish a better mechanism for Land Management in ICT. The Committee resolved that the Federal Government should take effective steps to implement the Police Order, 2022 in ICT. The Committee discussed the need of Independent and Designated Revenue Courts in Islamabad Capital Territory (ICT) and resolved that the Civil Courts should segregate revenue cases from other civil cases through preliminary hearing.

4.10 Significant Achievements of the PJs and JC-ICT:

- **Establishing the Forensic Laboratories:** All the Justice Committees (JCs) jointly worked for establishment of International Standard Forensic Laboratories in the Country to facilitate the scientific analysis of available evidence. In last years, the PJC-KPK, PJC-Balochistan and JC-ICT actively worked for establishment of state-of-the-art forensic lab in respective jurisdiction. As result of which, construction of building of the Balochistan Forensic Laboratory has been completed, allocation of land for construction of Forensic Science Laboratory in KPK and drafting of service rules for employees of the said laboratories in KPK and Balochistan are in process of completion. Likewise, the JC-ICT also directed that the National Forensic Laboratory may be completed on fast track.
- **Establishment of the ICT Prosecution Service, Reclamation and Probation Department, and Cooperative Societies Departments:** In addition, through collaborative efforts and resolutions of the JC-ICT, establishment of an independent Prosecution Service (Wing/Department), Reclamation and Probation Department and creation of a separate office of the Registrar, Cooperative Societies, are underway and likely to be functional soon.
- **Capacity Building:** The Provincial Justice Committees and respective justice sector institutions jointly worked for capacity building of Investigation Officers, Prosecutors and Judicial Officers by arranging trainings and workshops with the purpose to improve standards of justice delivery.
- **Infrastructure Development:** The JCs have fairly considered infrastructure development requirements of the Justice Sector Institutions, especially development with respect

to newly merged districts of FATA in KPK Judiciary, construction of Prisons/Sub-jails and other infrastructure requirements of High Courts, etc., and appointments at vacant posts and human resource upgradation.

- **Improved Law and Order Situation:** In order to address security related issues, the Provincial and ICT Justice Committees have worked in joint collaboration and have discussed measures to reduce street crimes in the society.
- **Addressing Child Labour/Begging:** The protection of vulnerable segment of society is integral for administration of justice, the Justice Committees particularly emphasized upon addressing the issues of child protection by controlling and eliminating the Child labour and street begging of children. In this regard, various steps in mutual collaboration of justice sector institutions have been taken for provision of protection to children from begging, etc.
- **Controlling Street Crimes:** In order to control the Street Crimes, the provincial Justice Committees (Including JC-ICT) worked efficiently and implemented improved surveillance in the society to identify criminal activities, the respective Justice Committees stressed upon installation of CCTV cameras through safe city projects.
- **Better Conditions in Prisons:** The Prisons, play important role in dispensation of Criminal Justice, simultaneously, fair infrastructure development and improved living conditions of Pakistani Jails is always a matter of concern for the justice sector, the JCs taken up issues of constructions of new jails, provisions of better facilities to inmates confined in jails and filling up of vacant posts in the Prison departments to address issue of shortage of staff.

4.11 Feasibility Study of Project: Strengthening and Expansion of National Judicial Automation Unit (NJAU):

The PC-II of Project was approved by Departmental Development Working Party (DDWP) on 18-05-2021 at the cost of Rs. 30.90 million. After due process, the contract of project was assigned to a consultant M/s Carbon8 Private Limited. To evaluate the work submitted by the Consultant, a Technical Evaluation Committee (TEC) was constituted under the Chairmanship of Mr. Jawad Khan, Joint Secretary (NJPMC) Law and Justice Commission of Pakistan. Members of TEC include Mr. Abdul Rasheed Mahar Project Director (NJAU), Mr. Usman Javaid, Director

(Technology and Development) NADRA, Mr. Ali Abbas, Project Manager, Ministry of Law and Justice, Islamabad.

One of the main features of the Project is to formulate standard practices for future software development to address the issues due to independent software development and enlist the essential services/features for all the CFMSs (Case Flow Management Systems). Another feature of the project is to integrate the existing CFMS of Supreme Court, Federal Shariat Court, High Courts, District Judiciary and other justice sector institutions to provide correct real-time information to the NJPMC for policy making decisions. Such features will help to strengthen the Justice Sector Institutions and implement the decisions of NJPMC and mandate of the NJAC.



5. Access to Justice Development Fund (AJDF)

Access to Justice Development Fund (AJDF) is an endowment established by the Government of Pakistan to sustain reforms in the law and justice sector. The key objective of the Fund is to strengthen people centric justice service delivery through infrastructure development of district courts, provision of litigant oriented facilities and professional development of judicial officers and court staff. The Fund has a dedicated share to support legal empowerment activities including provision of free legal aid to the deserving litigants who are otherwise unable to pursue their cases in the court of law due to financial constraints.

By establishing the Access to Justice Development Fund (AJDF), the Government has provided an independent budgetary support for the judiciary to help it evolve and meet the expectations of the people of Pakistan and enhance the public's access to justice. The Fund is located in the Law and Justice Commission of Pakistan (LJCP). The Fund has seven windows with specified objectives defined under AJDF Rules, 2002. The annual income generated through investment of endowment grant is allocated to the Fund windows as per prescribed share.

5.1 Governance Structure of the Fund

The Access to Justice Development Fund is managed and administered by the Governing Body (GB) headed by the Chief Justice of Pakistan/ Chairman LJCP, and the members include the Chief Justices of the High Courts, the Secretary, Ministry of Finance, the Secretary, Law and Justice Division and the Secretary, LJCP. The GB is mandated to provide policy oversight, approve investment policy/schemes, allocate income to the Fund Windows and verify its accounts.

5.2 Management of the Fund

The overall responsibility for administration of the Fund rests with the Law and Justice Commission of Pakistan (LJCP) as per Access to Justice Development Fund Rules, 2002. Accounts of the Fund are maintained in accordance with the manner and form prescribed by the Auditor General of Pakistan and as provided in the Accounting Procedures of AJDF, 2005.

5.3 Technical Evaluation Committee (TEC):

GB has constituted experts' committee called Technical Evaluation Committee (TEC) with the mandate to review and recommend project proposals for funding to support activities aimed at legal empowerment, research and improving the standards of legal education. The Committee

suggests disbursement mechanism, provides technical guidance and monitor the execution of the projects to ensure efficient and effective utilization of resources.

5.4 Investment of Fund

As per AJDF Rules, 2002, the Fund is invested in government securities i.e. Pakistan Investment Bonds and Market Treasury Bills through Non Competitive Bidding (NCB) on the recommendations of the Investment Committee having experts from the State Bank of Pakistan, Ministry of Finance and LJCP. The investment process is being supervised by a Committee comprising the Hon'ble Chief Justice of Pakistan and the Hon'ble Chief Justice of Islamabad High Court.

During the year 2022, the LJCP Secretariat earned a profit of Rs. 616.009 million by investment in the Market Treasury Bills (MTBs) through Primary Dealers notified by the State Bank of Pakistan. In addition, an amount of Rs. 18.52 million was earned on the available balance in National Income Daily Account (NIDA) maintained at National Bank of Pakistan (NBP).

5.5 Share Allocation to different Windows of the Fund

The Fund has seven windows with specified objectives defined under AJDF Rules, 2002. The annual income of the endowment is allocated to the respective windows as per following distribution: -

- i) Judicial Development Fund Window (60.3%)
- ii) Under-Developed Regions (UDR) Window (10%)
- iii) Legal Empowerment Fund Window (13.5%)
- iv) Legal and Judicial Research (4.5%)
- v) Innovation in legal Education (4.5%)
- vi) Judicial Academies Window (4.5%)
- vii) Fund Management Window (2.7%)

i) Judicial Development Fund Window (60.3%)

It is the biggest window with share allocation of 60.3% of the annual income of the Fund which caters for the additional budgetary requirements for the district judiciary for automation of courts, infrastructure developments, and other litigant-oriented facilities in courts. Through this

funding RO filtration plants have been installed in all the districts of Punjab, spacious lockups & shades for litigants constructed, and electric generators and solar systems installed in the district courts to overcome power outages in Balochistan and Sindh. Similarly, funds have been provided to district judiciary of Kyber Pakhtunkhwa for up-gradation of infrastructure and provision of IT related facilities.

Last year, under Access to Justice Development Fund Rs. 40.013 million have been released to Peshawar High Court for construction of additional court rooms and establishment of court infrastructure in the newly merged districts of erstwhile FATA.

Women constitute approximately half of the population of Pakistan but have limited share in the formal workforce mainly due to low literacy, mobility challenges, social norms and absence of congenial environment. The Commission's Secretariat during a survey noticed that basic facilities like information/help desk, drinking water in waiting sheds, separate visitation family rooms, and separate siting places for female judges, lawyers, court staff and litigants are missing in many districts. Considering the said information, GB issued directions to the High Courts for ensuring the availability of missing facilities and amenities.

The LJCP Secretariat released an amount of Rs.78.871 million to Lahore High Court for completion of projects for installation of Reverse Osmosis (RO) Water Filtration Plants in the sub-ordinate Courts in the province of Punjab.

An amount of Rs.15.75 million was also released to the High Court of Balochistan for infrastructure improvement, installation of solar systems and provision of court related amenities and other facilities for litigants. Similarly, an amount of Rs.17.913 million was released to Peshawar High Court for construction of additional court rooms, lifts and record rooms in district courts of Abbottabad and Mansehra.

ii) Under-Developed Regions (UDR) Window (10%)

Under this Window funds are provided to the High Court for executing special projects in the designated under-developed areas to bring them at par with the other areas of the province through infrastructure development and legal empowerment through legal awareness and advocacy.

An amount of Rs.37.877 million was released to the Lahore High Court for infrastructure development in designated under-developed districts of Punjab i.e. D.G.Khan, Bahawalnagar, Multan, Bhakkar, Mianwali, Khushab, Jhang and Attock. Similarly, Rs.5.625 million were provided to the High Court of Balochistan to implement special projects in the notified under-developed districts of the Province.

This Secretariat also released an amount of Rs.22.106 million to Peshawar High Court from the share of erstwhile FATA for establishment of court infrastructure to improve the service delivery of justice system in the newly merged districts.

iii) Legal Empowerment Fund Window (13.50%)

This window is dedicated to support initiatives aimed at legal empowerment by providing clinical legal aid to clients affected by violation of their fundamental rights, especially on matters concerning with criminal justice, representation in public interest litigation, public awareness, legal literacy campaigns and awareness on environmental laws. 70% share of the Window is meant for funding projects of legal empowerment and remaining 30% is dedicated for provision of free legal aid through District Legal Empowerment Committees (DLECs). So far 50 projects at the cost of Rs. 49.7 million have been executed for legal empowerment, advocacy, public awareness about environmental & labour laws, ADR, legal aid, etc.

In its 17th meeting held on 9th December 2022, GB accorded approval to invite proposals for funding against the following identified areas:-

- ADR legal framework, its mechanisms and relevant forums in Pakistan.
- District Legal Empowerment Committees (DLECs) and free legal aid.
- Pro women laws in Pakistan.
- Complaint redressal mechanisms and forums in Pakistan.
- Laws dealing with juveniles and juvenile justice system in Pakistan.
- Domestic violence and remedies.
- Transgender rights.

a. Free legal aid through District Legal Empowerment Committees

Constitution of District Legal Empowerment Committees in 129-districts across the country is a unique initiative of the Law and Justice Commission of Pakistan where funds are provided to the committees for provision of free legal aid to the deserving litigants for protection of their

fundamental rights and access to justice. Funds are provided for payment of professional fee, court fee, copying charges, process fee and any other area as deemed appropriate by the Committee. Any deserving person can apply for free legal aid by simply filing an application on plain paper.

During the year 2022, an amount of Rs.1.8 million was released to 06-DLECs namely Sialkot, Jacobabad, Bajaur, Khyber, Torghar and Kalat of four provinces who had exhausted the earlier released funds. So for an amount of Rs.82.8 million has been released to these Committees.

The detail of funds released, utilized and cases dealt with is as under:

S.No.	Province	No. of Committees	Amount Released (PKR Million)	Amount Utilized (PKR Million)	Balance	No. of Cases dealt with
1	Punjab	36	26.4	12.89	13.51	2369
2	Sindh	27	15.6	7.2	8.4	569
3	Khyber Pakhtunkhwa	35	22	11.99	10.01	1074
4	Balochistan	24	18	10.34	7.66	854
5	ICT	02	0.8	0.46	0.34	48
	Total	124	82.8	42.88	39.92	4914

Though DLECs are operational since long, due to limited awareness and procedural hiccups in the Rules regulating the functions of DLECs, the benefits of this important initiative could not trickle down. In this regard, GB has approved the following awareness strategy to promote awareness about the free legal aid:-

- i. Public awareness about availability of free legal aid through DLECs amongst deserving litigants.
- ii. Development and dissemination of Information, Education & Communication (IEC) material through electronic and print media in collaboration with PTV and Press Information Department.
- iii. Development of Mobile Application to facilitate litigants and monitor the performance of DLECs.
- iv. Preparation of documentaries, promos and animated films, etc. for dissemination of information to public about DLECs. For this, a dedicated budget has already been appropriated in the FMW Annual Budget for FY2022-23.
- v. Regular meetings of the LJCP Secretariat with the High Courts and DLECs to streamline the process of utilization of funds.

- vi. Inclusion of awareness sessions on DLECs in training programs of Judicial Academies.

iv) Legal and Judicial Research (4.5%)

Improvement in the quality and efficiency of the administration of justice can be ensured through modernization of laws, improvement in the service delivery of courts, professional development and capacity building of key players, reducing the costs of litigation and expanding access to justice. AJDF Rules, 2002 provides that 4.5% of the income generated on investment shall be allocated for funding legal and judicial research projects aimed at improving the delivery of judicial and legal services and quality of judgments, and initiatives to reform laws and advocacy related endeavors.

GB in its 17th meeting held on 9th December 2022 granted approval for inviting funding proposals on the following thematic areas:-

- Study the lifecycle of different category of cases to identify gaps/bottlenecks hindering the expeditious dispensation of justice.
- Cyber-crimes, legal remedies and preventive strategies-Pakistan.
- Role of technology in the administration of justice.
- Analysis and impact of the National Judicial Policy (NJP) on the administration of justice and recommendations for its improvement.
- Striking a balance between citizens' rights to freedom of expression and unregulated social media.
- Regulating e-commerce, freelancing and virtual services in a digitalized world through legislation.
- Role of data analytics in promoting transparency and accountability of the justice sector.
- Capital punishment: pros and cons. Why and when it can be justified.
- Crime prevention: what the Government can do to lower crime rate.
- Effective legal representation before courts and right to fair trial.
- Judicial trial and media investigation: need for balance.
- Gender inequality, layered violence in Pakistan: what needs to be done.
- Climate change: law and legislation in Pakistan.
- Third Party Insurance: claims and remedies.

- Legal profession and emerging technology: future of law practice?
- ADR: a tool to complement justice system – Best practices.
- Right to fair trial and effective legal representation.
- Criminal Justice system in Pakistan.

v) Innovation in legal Education (4.5%)

Under this window funds are provided for implementing projects to improve standards of legal education through innovations in teaching & curriculum development and capacity building of professionals. GB in its 17th meeting held on 9th December 2022 granted approval to invite projects on the following thematic areas:-

- Transforming contemporary legal education in Pakistan through innovative approaches.
- Use of data analytics in legal education.
- Professional development of lawyers and the Judiciary at various levels through continuing legal education on technical subjects.
- E-(legal) education in Pakistan.

vi) Judicial Academies Window (4.5%)

This Window aims to improve the quality of judicial training and education of the judicial officers and other court staff. The funding is provided for following activities not covered under regular budgetary provision of the academies:-

- a. Training programs for the judiciary including mobile training arrangements and facilities;
- b. Development of new courses, especially attempts at innovations;
- c. Training and education for non-judicial personnel, e.g. administrators, registrars and other support staff dealing in policy development and implementation, case flow management, budget, planning, information system and record management.

An amount of Rs.4.567 Million was released to Federal Judicial Academy for organizing training for law interns, professional development courses for judicial officers, prosecutors, jail staff, IOs, lawyers, and court personnel. Special sessions were also arranged for accreditation of mediators.

GB in its 17th meeting held on 9th December 2022 accorded approval for release of funds amounting to Rs. 21.42 Million for Upgrading Webinar Room/Studio of the Punjab Judicial Academy to provide state of the art online / virtual training facility to the district judiciary and

court personnel. An amount of Rs. 4.4 Million was approved for Sindh Judicial Academy to organize training programmes for judicial officers at district level on expeditious disposal of criminal trials and use of technology in trials and investigations.

Similarly, for organizing trainings for judicial officers, investigation officers, lawyers & para-legal staff, the GB respectively approved Rs.7.38 Million and Rs.4.83 Million for Khyber Pakhtunkhwa and Balochistan Judicial Academies.

vii) Fund Management Window (2.7%)

This window is dedicated to cater for the expenses incurred on managing and administering the Fund. The eligible areas of expenditure include salaries of auditors, consultants, investment advisors, officers and staff of Fund Management, purchase of equipment, vehicles and stationery, etc., payment of fees, travelling, daily & other allowances, and any other payment to be charged to the Fund, GB in its 17th meeting approved the expenditure and budget for the activities during the F.Y 2022-23 which includes development of software, awareness campaign about DLECs and human resource development of Fund Branch.

5.6 Meeting of the Governing Body, AJDF

17th Meeting of the Governing Body (GB), Access to Justice Development Fund (AJDF) was held on 9th December, 2022 under the Chairmanship of the Hon'ble Chief Justice of Pakistan/ Chairman, Governing Body, AJDF.



The Hon'ble Chairman, GB appreciated that an extra budgetary resource for the infrastructural development of the district judiciary and provision of court related facilities and amenities to litigants and judicial officers is placed at the disposal of the Judiciary, The Chair desired that the Chief Justices of the High Courts may take personal interest in effective and efficient utilization of this resource.

While reviewing the progress of the District Legal Empowerment Committees (DLECs), the Hon'ble Chairman GB highlighted the need for revisiting the Rules regulating DLECs to ensure provision of swift free legal aid to the deserving litigants which is the core mandate of such committees. The Hon'ble Chairman GB urged the need for effective and efficient use of this unique forum to ease the miseries of deserving litigants by ensuring their right to access to justice.

In addition, GB discussed the following agenda and accorded approval: -

1. Verification and allocation of profit earned in the Financial Years 2018-19 to 2021-22 amounting to Rs.1,464.28 Million.
2. approval of expenditure made from the Fund Management Window (FMW) for the Financial Years 2018-19 to 2021-22,
3. Budget of the Fund Management Window for the Financial Year 2022-23.
4. Proposal for recruitment of consultant as a "Data Analyst".

The Hon'ble Chief Justice of Pakistan expressed that the 75th Anniversary of Universal Declaration of Human Rights was approaching and the core theme of year 2022 was "Dignity, Freedom and Justice for All" which correlated with the mandate of AJDF. His Lordship stated that it was a matter of great pleasure for him that on a historical eve that forum had approved PKR 1,464 Million for protecting the fundamental rights of the citizens.

5.7 Other activities in LJCP Secretariat

5.7.1. Efforts for strengthening Secretariat in terms of Human Resource

Number of posts was lying vacant since long in the LJCP adversely affecting the working of the Secretariat. With the approval of the Competent Authority i.e. Hon'ble Chairman, LJCP, Departmental Selection Committees (DSC) were reconstituted and recruitment process against the following posts initiated:-

- i. Section officer (Admin) (BPS-17)
- ii. Computer Operator (BPS-16)

- iii. 03-Assistant Private Secretary (BPS-16)
- iv. 02-Stenotypist (BPS-14)
- v. Lower Division Clerk (BPS-09)
- vi. Driver
- vii. Naib Qasid

Enhanced mandate and responsibilities of LJCP Secretariat has increased the need for staffing and resources, therefore, LJCP Secretariat is actively pursuing the cases for appointment against vacant posts and creation of new posts to improve the outlook and performance of the Secretariat.

5.7.2. Capacity Building Initiatives

In order to improve the technical know-how and skillsets of the employees of the LJCP Secretariat, one week training sessions on Rules of Business, 1973 and Secretariat Instruction were arranged in the Law and Justice Commission of Pakistan. Instructors from Secretariat Training Institute were invited for lectures and imparting training to officers/officials of LJCP.

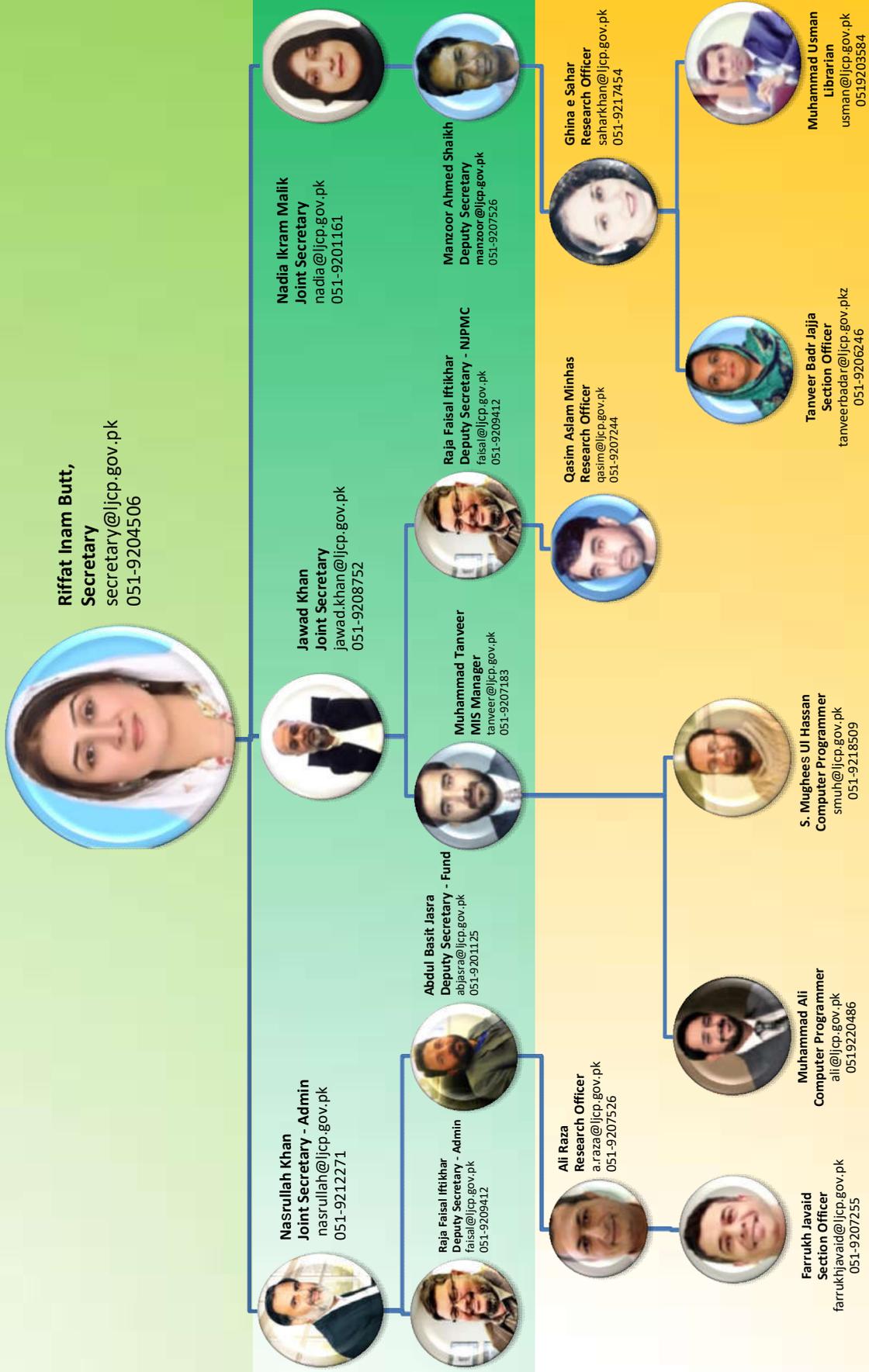
Ministerial Staff of LJCP was sent to Federal Judicial Academy for attending training sessions on Office Automation. Officers attended course on Project Planning and Management in June, 2022 conducted at Pakistan Planning and Management Institute (PPMI).

In addition, in-house training sessions to enhance computer skills were also arranged for officers & officials of LJCP.

5.7.3. Audit of the Accounts

Internal Audit for the year 2021-22 of LJCP was carried out in terms of para:13 of GFR-Vol-I and the office of the Auditor General of Pakistan has also been requested to include the audit of LJCP Secretariat in its annual plan 2023-24.

5.8 Law & Justice Commission of Pakistan – The Team



5.9 The Picture Gallery: Events in 2022

Meeting in Registrar Office, High Court of Balochistan, Quetta to discuss AJDF Fund Utilization Status



Conference on Judicial Perspectives on Domestic and International Arbitration in Pakistan

Organized by the Chartered Institute of Arbitrators at PC Lahore



Visit of Probationer Civil Judges/Judicial Magistrates

Khyber Pakhtunkhwa Judicial Academy



Second National Women Summit

Hon'ble Chief Justice of Pakistan meets a delegation of Female Judicial Officers who visited the Supreme Court of Pakistan



Certificate Awarding Ceremony at Federal Judicial Academy, Islamabad

“Continuing Legal Education (CLE)” Professional Development Package for Members of the Sindh High Court Bar Association, Batch-XIII



9th International Judicial Conference, Islamabad







