

**The Committee Members (Traveling  
and Daily Allowance) Rules, 2009  
and Amendment in the LJCP  
Members' T.A/D.A Rules, 1980  
Report No. 116**

### **Approval of the Committee Members (Traveling and Daily Allowance) Rules, 2009**

Under Section 6-C of the Law and Justice Commission of Pakistan (LJCP) Ordinance, 1979 (XIV of 1979), LJCP is authorized to constitute Committees consisting of one or more of its members and may refer to them any matter relevant to functions of the Commission for consideration. On establishment of the Access to Justice Development Fund (AJDF), 2002 it started financing from this fund to the various windows under the Access to Justice Development Rules and Accounting Procedure, 2005, various project proposals were also received under the Legal Empowerment Window, Legal Innovation Window and Judicial & Legal Research Window. In order to make appraisal of the projects proposals and for making recommendation of the most viable projects for consideration of the Governing Body, AJDF, the Commission have constituted a Technical Evaluation Committee (TEC) consisting of its four Members. The meeting of this Committee is convened from time to time. The Members are required to attend the meeting by traveling from their native city. Besides, the Commission constituted other Committees from time to time for consideration of the matters referred to it.

The Members of the Committee when attended the meeting of the Committee have to claim TA/DA and availing of facility of stay in Circuit House or Hotels, etc. For paying TA/DA to the Members of the Committee, it is expedient that separate Rules for TA/DA of the Members of the Committee may be framed. Accordingly, the draft Rules, namely, the Committee (Members Traveling Allowance) Rules, 2009 is submitted for the approval of the LJCP (Annex).

#### **Commission's Deliberations on 05 December, 2009**

The Commission approved the rules titled "The Committee Members (Traveling and Daily Allowance) Rules, 2009". These rules are applicable to the Members of Sub-Committee of the Commission and the Technical Evaluation Committee constituted under Para 5 of the Accounting Procedure of Access to Justice Development Fund, 2005; or a Committee constituted under the provisions of Law & Justice Commission of Pakistan Ordinance, 1979. The Commission further agreed to amend the LJCP Members TA/DA Rules 1980. In both the set of rules the members will be entitled for TA/DA as permissible to a Judge of the Supreme Court. Draft notifications follow.

## LAW AND JUSTICE COMMISSION OF PAKISTAN

## NOTIFICATION

Islamabad, the 24 December, 2009.

**S.R.O** \_\_\_\_\_ (1)/2009.- In exercise of the powers conferred by Section 9 of the Law and Justice Commission of Pakistan Ordinance, 1979 (XIV of 1979), the Law and Justice Commission of Pakistan is pleased to direct that the following further amendments shall be made in the Law Justice Commission of Pakistan (Members' Traveling Allowance) Rules, 1980, namely:-

In the aforesaid Rules,-

- (a) for rule 4, the following shall be substituted, namely:-
  - "4. The Chairman, the ex-officio Members and, non-official Members holding any position in Federal Government Departments, shall draw their traveling allowance and daily allowance from their own Court, Ministry or Organization."
- (b) In rule 6, for the words "Secretaries to the Federal Government" the words "serving judge of the Supreme Court of Pakistan" shall be substituted.

Dr. Faqir Hussain  
Secretary

[ No.F.14(5)/79/LJC-AI.]

[LJCP, meeting minutes, dated 05.12.2009.]

## LAW AND JUSTICE COMMISSION OF PAKISTAN

## NOTIFICATION

*Islamabad, the 24 December, 2009.*

**S.R.O ( )/2009.-** In exercise of the powers conferred by Section 9 of the Law and Justice Commission of Pakistan Ordinance, 1979 (XIV of 1979), the Law and Justice Commission of Pakistan is pleased to make the following Rules in respect of Traveling and Daily Allowances admissible to the Members of the Committee constituted from time to time, namely:-

1. **Short Title and Commencement.** - (1) These Rules may be called the Committee (Members' Traveling Allowance) Rules, 2009.

(2) They shall come into force at once and shall be deemed to have taken effect from 4<sup>th</sup> August, 2005.

2. **Definitions.-** In these Rules, unless there is anything repugnant in the subject or context:-

(1) "Committee" means, a Committee constituted under Section 6-C of the Law and Justice Commission of Pakistan Ordinance, 1979, or Sub-Committee constituted under section 6 of the National Judicial (Policy Making) Committee Ordinance, 2002 or the Technical Evaluation

Committee constituted under Para 5 of the Accounting Procedure of Access to Justice Development Fund, 2005;

(2) "Member" means, Member of the Committee;

**3. Traveling and Daily Allowance payable to the Members.**

The ex-officio Members of the Committee shall be entitled to the same Traveling Allowance, Daily Allowance, facilities of stay in Circuit House or Hotels, etc, in respect of the journeys undertaken by them in connection with the business of the Committee, to which they are entitled by virtue of their own respective Offices.

4. The ex-officio Members and, non-official Members holding any position in Federal Government Departments, shall draw their traveling allowance and daily allowance from their own Court, Ministry or Organization.

5. The Members shall be their own Drawing, Disbursing and Controlling Officers in respect of their T.A Bills.

6. The non-official Members of the Committee shall be entitled to Traveling Allowance, Daily Allowance, and the facility of stay in Hotels or Circuit Houses, at the rates and terms applicable to the serving Judge of the Supreme Court.

Dr. Faqir Hussain  
Secretary

[ No.F.14(5)/79/LJC-AI.]

[LJCP, meeting minutes, dated 05.12.2009.]

**Approval of Accounts for the  
Financial  
Year 2008-09 of the Access to  
Justice Development Fund**

## **Approval of Accounts for the Financial Year 2008-09 of the Access to Justice Development Fund**

The Access to Justice Development Fund (AJDF) is a statutory endowment established to address the issue of chronic budgetary constraints facing the law and justice sector institutions. By establishing the AJDF, the Government of Pakistan has ensured an innovative, independent and flexible extra-budgetary support to improve the functionality, independence and service delivery, components of hitherto under-resourced judiciary.

The Principal amount is meant for investment to generate income to meet the purposes of the AJDF on a sustainable basis. The income generated during the financial year is expended/allocated to the following seven designated windows of the AJDF:-

### **Window Share out of Income**

Provincial Judicial Development Fund (PJDF)	<b>60.30%</b>
Legal Empowerment Fund (LEF)	<b>13.50%</b>
Legal/Judicial Research	<b>4.50%</b>
Fund for Innovations in Legal Education (FILE)	<b>4.50%</b>
Special Projects in underdeveloped Areas	<b>10%</b>
Federal Judicial Academy (FJA)	<b>4.50%</b>
Fund Management (L &JCP)	<b>2.70%</b>

The AJDF is located with the Law & Justice Commission of Pakistan (LJCP), which is providing Secretariat support to the AJDF. The LJCP has constituted a Governing Body (GB) with a mandate to manage and administer the Fund. In addition to the GB, the Technical Evaluation Committee (TEC) ensures sound technical evaluation of the project proposals received by the LJCP from various stakeholders of justice sector.

The AJDF was operationalized couple of years back when its accounting procedure were approved and up till now the LJCP has accumulated a significant amount of funds through investments of the AJDF endowment in government approved investment schemes on the recommendations of the Investment Committee, having the representation of Ministry of Finance, the state Bank of Pakistan and the LJCP.

As per Rule 14 of the AJDF Rules, 2002, on the close of the financial year, the accounts of the Fund shall be balanced, the income and expenditure statement and the balance sheet shall be prepared, in accordance with the accounting procedure laid by the Governing Body. Accordingly, the accounts for the Financial year 2008-09 were prepared and were placed before the Governing Body, in its meeting held on October 11<sup>th</sup>, 2009 at Lahore.

After deliberation the Governing Body approved the following account statements:-

- i) Details of profit earned during financial year 2008-09 and its allocation to the AJDF windows;
- ii) Receipts and payments for the financial year 2008-09;
- iii) Explanatory note to the accounts (receipt side);
- iv) Bank statement 1.1.2009 to 30.06.2009; and
- v) Investment/maturity table.

As per the Clause (3) of Rule 7 of the Accounting Procedure of the Access to Justice Development Fund, 2005 after closing of the financial year the accounts of the Fund, income, expenditures, statement of a balance sheet and financial reports for the year shall be placed before the Commission for consideration

Accordingly, the accounts, income and expenditure statements, balance sheet for the financial year 2008-09 duly approved by the Governing Body, are placed before the Commission for consideration and approval.

### **Commission's Deliberations on 05 December, 2009**

As per Rule 14 of the AJDF Rules, 2002, on the close of the financial year, the accounts of the Fund shall be balanced, the income and expenditure statement and the balance sheet shall be prepared, in accordance with the accounting procedure laid by the Governing Body. Accordingly, the accounts for the Financial year 2008-09 were prepared and were placed before the Governing Body, in its meeting held on October 11<sup>th</sup> 2009 at Lahore.

After deliberation the Governing Body approved the following account statements:-

- i) Details of profit earned during financial year 2008-09 and its allocation to the AJDF windows;
- ii) Receipts and payments for the financial year 2008-09;
- iii) Explanatory note to the accounts (receipt side);
- iv) Explanatory note to the accounts (payment side);
- v) Bank statement 1-1-2009 to 30-06-2009; and
- vi) Investment/maturity table.

As per the Clause (3) of Rules 7 of the Accounting Procedure of the Access to Justice Development Fund, 2005 after closing of the financial year the accounts of the Fund, income, expenditures, statement of a balance sheet and financial reports for the year shall be placed before the Commission for consideration. The Commission unanimously approved the accounts for the financial year 2008-09 of the Access to Justice Development Fund.

**LIST OF REPORTS APPROVED BY THE  
COMMISSION**

1. First Report on Fatal Accident Act 1855.
2. Second Report on Fatal Accident Act 1855.
3. Report on Establishment of Courts of Qazis Ordinance 1981.
4. Report on Law of Evidence.
5. Report on Rent Restriction Laws and Draft Ordinance.
6. Report the Proposed Draft "Law of Evidence" Prepared by the Council of Islamic Ideology.
7. Report on Elimination of False Evidence from the Judicial System in the Country.
8. Report on Elimination of False Evidence.
9. Report on a Reference Received from the Federal Government on the Proposed Ordinance re: Law of Evidence.
10. Report on Qisas and Diyat.
11. Filling a Legal Vacuum.
12. Reformation of Family Laws.
13. Reformation and Modernization of Service Laws.
14. Report on Rent Restriction Laws.
15. Enhancing the Powers of Wafaqi Mohtasib (Ombudsman).
16. Scheme for the Redressal of Public Complaints.
17. Amendment in the Code of Criminal Procedure.
18. Extension of Jurisdiction of Service Tribunals to Employees of Statutory Corporations.
19. Eradication of 'QABZA GROUP' Activities.