

**Amendment in Access to  
Justice Development Fund Rules 2002  
and LJCP Employees Rules**

**Report No. 71**

**Amendment in Access to Justice Development Fund Rules 2002  
and in LJCP Employees Rules.**

The amendments in the Access to Justice Development Fund Rules, 2002, in the Schedule to the LJCP Employees (terms and conditions) Rules 1992 and work plan for expenditure of AJDF were considered by the Commission in its meeting held on 19 March 2005 and approved the work plan and amendments as per draft notification followed:-

GOVERNMENT OF PAKISTAN

LAW AND JUSTICE COMMISSION OF PAKISTAN

*Islamabad, the 4<sup>th</sup> April, 2005.*

NOTIFICATION

S. R. O. (I)/2004.- In exercise of powers conferred by sub-section (1) of 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 amendments shall be made in the Access to Justice Development Fund Rules, 2002, notified under S.R.O. No. 980 (I) /2002 dated 31<sup>st</sup> December 2002.

In the aforesaid Rules,—

1. In rule 2,—

(a) for clause (d), the following shall be substituted, namely:—

“(d) ‘Fund’ means Access to Justice Development Fund;”

(b) for clause (e) the following shall be substituted, namely:—

“(e) ‘Deputy Secretary’ means ‘Deputy Secretary of the Fund’;”

2. In rule 3, after sub-rule (6), the following rule shall be added, namely:—

“(7) The Governing Body may delegate any of its powers and functions to any of its members.”

3. In rule 4,—

(i) clause (c) shall be omitted.

(ii) the existing clauses (d), (e), (f) and (g) shall be renumbered as clauses (c), (d), (e) and (f) respectively.

(iii) for clause (d) as renumbered as aforesaid, the following shall be substituted, namely:—

“(d) approve investment policy and schemes for investment in the Government approved securities, term finance certificates (TFCs), shares or in any other form of investment in accordance with the approved policy of the Government.”.

4. in rule 5, in sub-rule (2), for the words “Managing Director” the words “Deputy Secretary” shall be substituted.

5. in rule 6, for the words “Managing Director of the fund from amongst officers not below the rank of Joint Secretary of the Commission” the words “Deputy Secretary” shall be substituted.

6. in rule 7, for the words “Managing Director” the words “Deputy Secretary” shall be substituted.

7. in rule 10, in sub-rule (a), for clause (ii), the following shall be substituted, namely:—

“(ii) court infrastructure;”

8. in rule 13, in sub-rule (1), for the words, commas and figures “these rules, and where these rules are silent, in accordance with the provisions of the Companies Ordinance, 1984” the words “the procedure as may be prescribed” shall be substituted.

9. for rule 14, the following shall be substituted, namely:—

“14. 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.”

10. after rule 15, the following new rule shall be inserted, namely:—

“15A. The provisions of these rules except rules 9 and 10, shall, mutatis mutandis apply to any amount of AJDF received to the Commission under clauses (b) to (d) of sub-section (2) of section 6A of the Ordinance.”

**AMENDMENT IN ACCESS TO JUSTICE DEVELOPMENT FUND**

**RULES, 2002**

| <b>S.<br/>No.</b> | <b>Existing Provisions</b>   | <b>Provision that will stand after<br/>making proposed<br/>amendments</b>   |
|-------------------|--|---|
| 01                | Rule 3,-<br>XXXXXXXXXXXXX  | Rule 3,-<br>“(7) <b>The Governing Body may delegate any of its powers and functions to any of its members.</b> ”  |
| 02                | Rule 10,-<br><b>(ii) reliable storage space for records;</b>   | Rule 10,-<br>“(ii) <b>court infrastructure;</b> ”.  |
| 03                | Rule 13,-<br>(1) The books of accounts of the Fund shall be prepared and kept in accordance with <b>these rules, and where these rules are silent, in accordance with the provisions of the Companies Ordinance, 1984.</b>   | Rule 13,-<br>(1) The books of accounts of the Fund shall be prepared and kept in accordance with <b>the procedure as may be prescribed.</b>   |
| 04                | Rule 14,-<br><b>(1) Within 50 days of the close of the financial year, the accounts of the Fund shall be balanced and audited and the income and expenditure statement and the balance sheet shall be certified by an auditor, qualified to act as such, in pursuance to the</b> | Rule 14,-<br><b>(1) On the close of the financial year, the accounts of the Fund shall be balanced and audited by the Auditor General of Pakistan and the income and expenditure statement and the balance sheet shall be prepared.</b> |

|    |   |   |
|----|---|---|
|    | <p>provisions of the Companies Ordinance, 1984.</p> <p>(2) The audited income and expenditure statements, balance sheets and reports prepared in accordance with the relevant laws, rules or bye-laws and where the law and rules are silent, in accordance with the Companies Ordinance 1984, along-with any other document required by law of rule to be annexed or attached thereto shall be placed before the Commission not later than 150 days after the close of each financial year.</p> <p>(3) The Commission shall consider the audited accounts of the Fund within thirty days of their receipt under sub rule (2) and to apprise them if they are in order.</p> | <p>(2) The audited accounts, income and expenditure statements, balance sheets and reports prepared in accordance with the relevant law, rules or by-laws along-with any other document required by law or rule to be annexed or attached thereto, shall be placed before the Commission.</p> <p>The Commission shall consider the audited accounts of the Fund in its meeting and approve them if they are in order.</p> |
| 04 | XXXXXXXXXX  | 15A. The provisions of these rules, except rules 9 and 10, shall, mutatis mutandis apply to any amount of AJDF; received to the Commission under clauses (b) to (d) of  |

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|  |  | <b>sub-section (2) of section 6A<br/>of the ordinance.</b> |
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## LAW AND JUSTICE COMMISSION OF PAKISTAN

*Islamabad, 4<sup>th</sup> April, 2005.*

### NOTIFICATION

S.R.O. (I)/2004.\_\_\_\_ In exercise of the powers conferred by section 9 of the Law and Justice Commission of Pakistan Ordinance 1979 (Ordinance XIV of 1979), the Law and Justice Commission of Pakistan is pleased to direct that following further amendments shall be made in its notification No. S.R.O 178 (I)/92 dated the 19<sup>th</sup> February 1992, namely:—

In the aforesaid notification, in Schedule, after serial number 4 and entries relating thereto, the following new serial numbers and entries relating thereto shall be inserted, namely:—

|         |                                      |  |   |
|---------|--------------------------------------|--|---|
| 4<br>A. | Research<br>Officer (Fund)<br>(B-18) | The same status and pay scale as may be prescribed from time to time for the post of Section Officer (B-18) in the Federal Government. | Appointment to the post shall be made by the Chairman in his discretion:-<br><br>(i) By promotion from amongst the officers serving in the Secre-tariat of the Commission in BPS-17, holding a degree in MBA (Finance) or M. Com or ACA or ACMA and having rendered 5 years service in BPS-17.<br><br>(ii) By direct recruitment from amongst the persons holding degree in MBA (Finance) or M.Com or ACA or ACMA and having 5 years experience.<br><br>(iii) By transfer from amongst the officers of equivalent rank serving in the Federal or Provincial Govern-ments, holding a degree in MBA (Finance) or M.Com or ACA or ACMA.<br><br>(iv) By taking on deputation from amongst the officers of the Federal or Provincial Govern-ments in BPS-17, holding a degree in MBA (finance) or M.Com or ACA or ACMA.<br><br>(v) Computer Literate persons will be given preference. (Maximum age for column |
|---------|--------------------------------------|--|---|

|      |                                       |  |  |
|------|---------------------------------------|--|--|
|      |                                       |  | (ii) is 35 years).   |
| 4 B. | Section Officer (Accounts/Audit) B-17 | The same status and pay scale as may be prescribed from time to time for the post of Section Officer (B-17) in the Federal Government. | <p>Appointment to the post shall be made by the Chairman in his discretion:-</p> <p>(i) By promotion from amongst the officials holding degree in MBA (Finance) or M.Com or ACA or ACMA and serving in the Secretariat of the Commission in BPS-16 having 3 years experience or in BPS-15 having 5 years experience or BPS-11 to 14 having 8 years experience.</p> <p>(ii) By direct recruitment from amongst the persons holding degree in MBA (Finance) or M.Com or ACA or ACMA and having one year experience.</p> <p>(iii) By transfer from amongst the officers of equivalent rank servicing in the Federal or Provincial Governments, holding a degree in MBA (Finance) or M.Com or ACA or ACMA.</p> <p>(iv) By taking on deputation from amongst the officials of the Federal or Provincial Governments in BPS-16, holding a degree in MBA (Finance) or M.Com or ACA or ACMA.</p> <p>Computer Literate persons will be given preference. (Maximum age for column (ii) is 30 years).</p> |

[F.14/198/2003-LJCP(A-I).]