



# Peshawar High court

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NEWS LETTER



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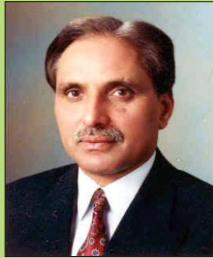
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## CHIEF JUSTICE

Mr. Justice Tariq Parvez Khan, Chief Justice, Peshawar High Court, on his elevation as judge of the august Supreme Court of Pakistan took oath of the office on October 20, 2009, at Islamabad. His lordship the Chief Justice of Pakistan administered the oath.



Born in a middle class family of Mansehra on May 08, 1953, Mr. Justice Ejaz Afzal Khan received his primary education from Government Primary School, Mansehra, did matriculation from Government High School, Mansehra and F.A from the Government College, Mansehra. He joined the

Government College, Abbottabad and did graduation in 1974. Subsequently, he graduated in Law in 1977 from Khyber Law College and joined the profession of law the same year. He was enrolled as an Advocate, Peshawar High Court in 1979 and as an Advocate Supreme Court of Pakistan in 1991.

His lordship Mr. Justice Ejaz Afzal Khan is the only judge of the Peshawar High Court who stuck to his principled stance of the independence of judiciary till last. He rejected the offer to take oath under the Provisional Constitutional Order (PCO) on November 3, 2007. He even refused to be reinstated without the reinstatement of his lordship Mr. Justice Iftikhar Muhammad Chaudhry, Chief Justice, Supreme Court of Pakistan.

His elevation to the Bench as Additional Judge in September, 2000 was an acknowledgement of his professional capabilities and after having



served as a Judge of Peshawar High Court for 9 years, his lordship was appointed as Chief Justice on October 20, 2009.

## SEVEN NEW JUDGES

Honourable the Chief Justice Mr. Iftikhar Mohammad Chaudhry said, "No one can imagine the amount of pressure exerted upon the consultees for the selection of certain persons, but by the grace of Allah none of the consultees has succumbed to pressure...These are not appointments for the posts of civil judges but for High Courts. The candidates who have submitted such applications should feel mortified

because selection to such posts is a sacred duty and they become disqualified for appointment, especially after showing their desire...It (court) consolidates its authority when it gently points the nation in the right direction instead of trying to dominate it".



**Oath Taking Ceremony of Seven New Judges**

With the appointment of seven honourable additional judges, the strength of judges of the Peshawar High Court was raised to 14, with then shortage of five judges. Hon'ble the Chief Justice Mr. Tariq Parvez Khan administered oath on 7<sup>th</sup> September, 2009, to the newly appointed honourable judges, namely, Mr Justice Abdul Aziz Kundi, Mr. Justice Mian Fasih-ul-Mulk, Mr. Justice Liaqat Ali Shah, Mr. Justice Mazhar Alam Miankhel, Mr. Justice Attaullah Khan, Mr. Justice Muhammad Safdar Khan and Mr. Justice Miftah-ud-Din Khan, out of whom 10 belonged to the bar whereas four were elevated from the district judiciary.

Mr. Justice Abdul Aziz Kundi, belonging to village Pai of Tank, was born in January, 1949. He did his LL.B. from Sindh Muslim Law College, Karachi and commenced practice at Peshawar. In 1976, he was enrolled as an advocate of the High Court and in 1981 as an advocate of the Supreme Court. He also served as member on the Executive Committee and Vice President(N.-W.F.P.) of the Supreme Court Bar Association during 1997-99, 1999-2001 and 2001-2003, respectively.

Mr. Justice Attaullah Khan was born on 04.06.1950. He belongs to Swat. He did his Masters in 1971 and LL.B. in 1974 from Khyber Law College Peshawar. In 1975, he joined Office Management Group of the Central Superior Services of Pakistan. In 1977, he was appointed as Civil Judge. Having remained as Senior Civil Judge in 1982, he was promoted in 1983 as Additional District & Sessions Judge and in 1987 he was promoted as District & Sessions Judge. He also served as Presiding Officer, Labour Court; Registrar, Peshawar High Court; Secretary Law Department, Government of N.-W.F.P; Judge, Accountability Court, Peshawar and Judge, Banking Court-I, Peshawar.

Mr. Justice Muhammad Safdar Khan was born on 01.10.1949. He belongs to Bannu. He joined the profession as a lawyer and was appointed as Additional District & Sessions Judge on 26.11.1983 and was promoted as District & Sessions Judge on 25.03.1989. He twice remained Member Inspection Team and also served as Additional Secretary and Secretary Law Department, Government of N.-W.F.P, Special Judge (Customs, Taxation & Anti-Smuggling), Peshawar and Presiding Officer, Special Court (Offences in Banks),

Peshawar.

Mr. Justice Miftah-ud-Din Khan was born on 13.02.1951. He belongs to Swat. He did his LL.B. in 1975 and was honoured with Presidential Award. In 1978, he was appointed as Civil Judge. Having served as Senior Civil Judge during 1982-84, he was promoted in 1985 as Additional District & Sessions Judge and on 29.05.1993 he was promoted as District & Sessions Judge. He also served as Judge, Accountability Court, Peshawar.

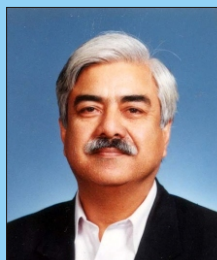
Mr. Justice Mian Fasih-ul-Mulk was born on 08.04.1952 in Charsadda. He did his graduation in law in 1980 from Khyber Law College. In 1983 he was licenced to appear before the High Court and in 1996 he was awarded the license of the Supreme Court. He served from 1989 to 2000 as Special Prosecutor Customs and Banks whereafter he served for more than eight years as Deputy Prosecutor General of National Accountability Bureau, N.-W.F.P. on contract which expired on 11.01.2009.

Mr. Justice Liaqat Ali Shah was born on 30.04.1954 in Bannu. He did his graduation in law from Gomal University, D.I.Khan, in 1978. He was enrolled as an advocate of the High Court and Supreme Court, respectively, in 1985 and 2005. He remained as Additional Advocate General of the N.-W.F.P. from 6.3.2004 to 21.5.2006 and Advocate General from 25.5.2006 to 3.4.2008.

Mr. Justice Mazhar Alam Miankhel was born on July 14, 1957 in D.I.Khan. He did his LL.B from Gomal University in 1982 and started practice followed by grant of licence in 1984 to appear in the High Court. In 2003 he was awarded licence to practice before the Supreme Court of Pakistan. He remained vice President and secretary District Bar, Secretary and Vice President High Court Bar and member Bar Council for two consecutive terms from 1999 to 2009.

## WELCOME

On 31.10.2009, Syed Musadiq Hussain Gilani, Registrar, Peshawar High Court, during his welcome address said, "It is a matter of great honour and pride privilege for me and for my brother judges, to welcome his lordship Mr. Justice Ejaz Afzal Khan, on assuming the office of the honorable Chief Justice Peshawar High Court. Besides, his lordship's outstanding scholastic career, he is one of the brilliant legal luminaries. His lordships legal insight and acumen can well be assessed by his decisions on intricate constitutional and civil matters of public importance. By the grace of Allah Almighty, his lordship is blessed with optimistic temperament, gifted with deep vision and broad outlook. Above all, he is symbol of humility which, in my estimation, has played a pivotal role in his popularity amongst his colleagues and members of the Bar. We are confident that with guidance of a judge of his caliber, learning and vast judicial experience, we shall wholeheartedly endeavor



to clear the backlog with the cooperation of the Bar and assure our full support, in all efforts directed towards maintaining the dignity of judicial system. I pray Allah Almighty may guide and help his lordship in the performance of his duties in new position as head of the judicial administration of this Province. May Allah Almighty help us in the discharge of our functions."

## MESSAGE

We are, at the moment, in a state of crisis. Much more is expected of everybody. It is the worst which calls forth the best in you. Corruption is rampant in every department of life. It is a cancer. But it is still in a stage where it can be cured. It can be treated provided we make wholehearted efforts. If state of corruption is a thesis, it must have its antithesis. If corruption, chaos and confusion in this society are a thesis, it is bound to have its anti thesis. But this anti thesis will not descend from the heavens. We are to make efforts to bring about anti thesis. We are to hasten that dialectical process whereby this anti thesis can be brought about sooner than it is expected.



31st October 2009: Address to the District & Sessions Judges

We are in a situation where everybody is expected to contribute something well beyond his means. It is not the time where we should contribute according to our humble efforts. No! Gone are the days. Humble efforts won't do, whole hearted efforts would do, militant efforts would do; so we must morally, militantly and whole heartedly devote ourselves to the achievement of those objectives which are expected of us by the society by and large.

In two and a half years in our sweat, toil and blood, we have achieved many things. We have brought judiciary at a track where it can deliver goods. If we would not respond to the needs of the time, rest assured we would be doomed and dumped into the debris of history. Countries progress and prosper because of Institutions which progress and prosper because of the integrity, insight and acumen of those who man them. They owe their origin and whole existence to human will. It is not the will of those, who yield to influence, wilt under pressure, succumb to temptation and dance to the drumbeats of their impulses. They never renounce reasons and right thinking. They remain steadfast even in adverse circumstances. They do not descend from the heaven. The more one transcends the needs of animal's life, the greater he becomes in stature. The principle in this context is to serve the Institutions by raising your self above your personal, parochial

and political considerations.

Suspicion of foul play lurks in every nook and corner. Lack of transparency is talk of the town. Seeing the floor dirty, every one throws dirt thereon. We are to make it clean to such an extent that every one must think ten times before throwing even a straw on that. Questions are many, problems are many, odds are many but the answer, the solution, the way to overcome the odds is one, i.e., to act justly under all circumstances and in every sphere of our being. Once we do it, we can find our way straight to the heaven and none can stop the advent of the day, when we can emerge as great a people as we emerged almost 15 centuries before. Those principles have not been taken along by those who are no more in this world; those principles are still intact in the form of the Holy Book and *Sunna* of the Prophet (PBUH).

So we have many problems but 90% of our problems can be solved, if we stick to the principles of law and justice, this society can be brought on the track. A bail application may be something very simple. Yes you have discretionary powers. It can be granted and it can be refused. But an unjustified grant of bail sometime creates such problems which are unimaginable and unthinkable. Because whenever a person is deprived of his due; that deprivation gives rise to frustration. And that frustration gives rise to transgression and that transgression gives rise to chaos in the society. When you decide the matters in a manner that everybody gets his due, that feeling of deprivation is eliminated. Society as a whole is taken towards harmony, peace and tranquility. But where it is otherwise then many problems are created which assume such enormous and alarming proportion that even a genius with extraordinary capacity cannot overcome those problems.

So let us concentrate on the point that whosoever comes to the court of law he must go with the feeling that justice has been done to him. Hazrat Umar (R.A) said, "the strongest possible is the weakest possible for me so long as I don't retrieve from him what he has snatched from others and the weakest possible is the strongest possible for me so long as I don't restore to him what is his due." So now at this stage we are supposed to work with that spirit, with that determination, with that devotion and with that dedication; and this was the sole purpose of meeting you. We are having many problems, there is no doubt about that I know that you may not be handsomely paid as compare to many other provinces. We would be attending to those problems. We want that disparity must be brought to an end. We are suppose to act in the spirit of **Qalandari** rather than **Tawangari**: these are the words and this is my message; we are to start afresh with that spirit, dedication and determination; and, if we do that I am convinced that not in months and years, we would achieve our objective in days and weeks.

اگر جواں ہوں میری قوم کے جسور و غنیور  
قلندری میری کچھ کم سکندری سے نہیں

اگر جہاں میں میرا جوہر آشکار ہوا  
قلندری سے ہوا ہے تو نگری سے نہیں

All the District & Sessions Judges assured that they would do their best to achieve all the standards of performance prescribed by the hon'ble High Court and the National Judicial (Policy Making) Committee, by ensuring that the delay in dispensation of justice would be done away with and the most effective measures would be adopted to uproot the corruption of all kinds.



31<sup>st</sup> October, 2009: District & Sessions Judges Attending the Meeting with Hon'ble the Chief Justice

## CORRUPTION

During meeting of the D&SJs with the hon'ble Chief Justice on 31<sup>st</sup> October, 2009, the Registrar said, "the learned District and Sessions Judges are to: effectively monitor that the justice is not denied to the litigants through wrong/misleading interpretation of National Judicial Policy; see the Corruption cases should be reported to the Cell established at the level of High court with evidence for action against the delinquent officers; note that it is the basic responsibility of the D&SJ to supervise and control all the courts working in his subordination by ensuring that the punctuality, presence at the station, court dress, non-entertainment of guests in the courts and the like are strictly observed without any laxity; ensure that the violations and departures must be reflected in the ACRs objectively without any laxity and the alleged pre-ACR writing dinners-functions should be discouraged at all levels; note that the hon'ble Chief Justice of Pakistan (CJP) and National Judicial (Policy Making) Committee (NJPMC) had many times reiterated that in this regard the entire responsibility lies on the D&SJ who exercises the delegated supervisory powers which must be exercised without any compromise; note that all the performance standards fixed previously by the High Court and NJPMC would be followed by fresh targets too in view of peculiar circumstances of each district; keep in view that for the National Conference, the honourable CJP and for the Provincial Conference to be held during first week of December, 2009, the honourable Chief Justice Peshawar High Court, will nominate any one of the D&SJs from any district for each of the said conferences for giving presentation during the conference on the working of all the courts of his district; ensure effective mechanism to make follow up with reference to the minutes of meetings of the District Committees should

also be developed; note that contempt of Court proceedings with reference to the decision of the CJP regarding non production of the witnesses in the criminal cases should be initiated in appropriate cases. We expect all the District and Sessions Judges would generously share their experiences with their colleagues by sending their innovative and thoughtful suggestions.”

## PRISONERS

Hon'ble the Chief Justice, Peshawar High Court, visited Central Jail, Peshawar, on 31st October, 2009, for the redressal of grievances of the prisoners on spot in view of the decisions of the NJPMC, resulting into release of 161 under trial prisoners on spot and making of directions to all the concerned for the quick disposal of all the complaints of the prisoners. Similarly, 477 other prisoners have also been released throughout the province during the subject period.

The hon'ble Chief Justice visited each and every barrack, women cell, juvenile cell and all other abodes of the prisoners in order to hear and remedy the complaints and grievances of the prisoners who were informed by the honorable Chief Justice that all the resources would be pressed into service for the expeditious disposal of their cases pending in the courts and for doing away with all that is against the law in order to make certain that the rights of the under trial prisoners were respected and no wrong was done to them. Similarly, the jail hospital, kitchen and all other facilities being provided to the prisoners were also inspected and directions were made to all the concerned to make such visits throughout the province and ensure that the prisoners would be provided standard facilities.

**In a recent landmark decision** based on 350 verses of the holy Quran and 64 judgments of higher courts, the Federal Shariat Court required the jail authorities to facilitate conjugal rights of prisoners either at the jail premises or briefly release the condemned prisoners. It had been decided that spouses of prisoners jailed for more than five years might spend some days with them or the prisoners could be released on surety for some time for the purpose. It also decided that the prisoners should be given right to appeal against the discretionary powers of the superintendent of the respective jail.

## PROMOTIONS

Five Additional District and Sessions Judges have been promoted to the posts of District and Sessions Judges. The Administration Committee of the High Court decided to promote M/s Muhammad Asim Imam, Malik Miandad, Amananullah Khan Salik, Ishtiaq Ahmad and Azhar Khan.

## ADMINISTRATION

Syed Musadiq Hussain Gilani assumed the charge of the office of the Registrar and Mr. Qalandar Ali Khan has been appointed as the Chairman of N.-W.F.P. Service Tribunal

Peshawar. M/s Niaz Muhammad Khan and Qamar Sohail Lodhi AD&SJs have been posted as Additional Members Inspection Team. Mr. Muhammad Rauf Khan AD&SJ has been posted as Additional Registrar, Peshawar High Court D.I.Khan, Bench. On his promotion as District & Sessions Judge, Mr. Azhar Khan relinquished the charge of the post of Additional Registrar (A) Peshawar High Court.

## NATIONAL JUDICIAL POLICY

National Judicial Policy is aimed at expeditious disposal of cases to restore the confidence of the people in the judicial system. National Judicial Policy has been formulated as a consequence of deliberations of all the stakeholders of the Justice Sector, and its objectives are to be achieved through strict monitoring of the performance of the district judiciary.

Honourable the Chief Justice Mr. Iftikhar Mohammad Chaudhry said, “Our primary goal is to strengthen the constitutional norms and the State institutions in the country...We need to establish a clean, efficient and accountable judicial system in the country, to do so we have to join hands and strive hard for such a laudable goal. This will require earnest efforts, constant struggle and sacrifices, as demonstrated in the recent past...Currently, we are passing through a difficult phase of institution-building.”

**Pay of the Judicial Officers:** The NJPMC, as approved by the honourable Chief Justice of Pakistan, has already made a recommendation, saying: “In the province of Punjab, the judicial officers of the subordinate judiciary are drawing additional judicial allowance equal to three times of the salaries, therefore, it is desirable that the judicial officers of all the provinces be treated alike and disparities in their salaries and allowances be removed...The N-W.F.P Finance Department showed its willingness to raise the salaries of Judicial Officers but stated that it was short of funds owing to the issue of Internally Displaced Persons.”. However, efforts are being made to do the needful as early as possible.

NJPMC has taken serious note of the complaints of corruption against the judicial officers and officials and remarked that since the judicial officers and officials are now reasonably paid; therefore, corruption and inefficiency should not be tolerated in any way. There should be zero tolerance to the corruption by improving the existing monitoring mechanism for eradication of corruption from judiciary at all levels. It has also been resolved that the concept of open court should not be compromised, and in extraordinary and exceptional cases trial may be held in jail premises. The District & Sessions Judges have been asked to visit jails regularly to decide the petty nature cases by invoking the relevant provisions of law. This practice would not only give relief to the prisoners confined on charges of minor offences but would also help to reduce the burden on the overcrowded jails. The District & Sessions Judges have been required to make all possible efforts for effective implementation of the

national judicial policy and to ensure that the framework given in the policy should be met and its benefits should go to the grass root level.

#### **In compliance with the directives of the NJPMC:**

1. Instead of weekly progress reports on the disposal of cases under the policy, now the said reports are prepared on fortnightly basis by Saturday of second week while the second by Saturday of the forth week, respectively.
2. Though considerable progress has been made by the police in production of under trial prisoners to courts yet a lot more is needed to be done. In order to monitor and keep a watch on the performance of police, a consolidated daily report about the number and detail of those not produced in courts is being prepared.
3. The disposal rate of old and new cases under the policy is being increased as pragmatic methodologies have been devised at district level to ensure the fulfillment of the objectives by all means within the stipulated period.
4. During jail visits by the Judicial Officers 638 petty nature cases have been disposed of during September-October, 2009.
5. For the progress of automation of Justice Sector, all efforts are being made to bring the data base on networking so that the performance of the District Judiciary could be monitored effectively to facilitate the litigants.
6. This court is in the process of devising various methodologies, to show zero tolerance to the corruption and improve the existing monitoring mechanism for eradication of corruption from all the courts subordinate to Peshawar High Court. All the Judicial Officers and officials are being realized that every complaint shall be addressed efficiently and effectively with no exceptions; particularly, when they are drawing reasonable salaries; therefore, corruption and inefficiency have to be uprooted.
7. The possibilities are being explored for taking initiatives to record evidence through appointment of local commissioners in order to curtail the delays in the disposal of cases pending for recording of evidence since long. Further, each District and Sessions Judge has been made ready to give a presentation, as and when required, on the implementation of National Judicial policy with reference to the disposal of old and new cases, family/rent matters and the like.

**District Judicial Conferences:** The District Judicial Conferences were held throughout the province. The Judges of the District Judiciary, Lawyers, Police Officers, Probation Officers, Jail Superintendents, Prosecutors, Representatives of the Civil Society, Media, Educationists, etc. participated in the proceedings. As a consequence of detailed deliberations on the ways and means for successful implementation of the National Judicial Policy, the participants made valuable recommendations with the commitment by all the stakeholders

for putting in their best efforts to ensure expeditious dispensation of justice.



**1st August 2009: District Judicial Conference, Peshawar**

The event was aimed at discussing the challenges, the District Judiciary is confronted with and to dedicate the day to make resolution to serve the litigant public better and meet the increasing expectations of society from the judiciary. It was also meant to make plans and devise strategies, to face the challenges, including the backlog, prolonged pendency of cases to improve the image and credibility of judiciary. It also provided an opportunity to set targets, to attain the objectives and goals and to overcome the obstacles, hindrances and hurdles, preventing the judiciary from achieving actual cause of dispensation of expeditious, inexpensive and impartial justice.



**6<sup>th</sup> October, 2009: Ms. Rebekah Grindlay, Australian Deputy High Commissioner, visited Peshawar High Court**

## **MALAKAND**

In 1st week of August, 2009, on the directives of this Court all the District & Tehsil Courts reopened and the judges resumed their duty in Malakand. The courts in some of the districts of Malakand remained closed for three months due to insecure conditions. Previously, the courts' closure added to the sufferings of the people. The judges and judicial magistrates are attending their courts regularly.

The services of the Moavin Qazis to assist Qazi Courts in Malakand have reportedly been terminated by the Government. About 94 Moavin Qazis were appointed in 1994 and successive governments extended their tenure, previously.

The Provincial Government has appointed District & Sub-Divisional Magistrates in six districts including Swat, Shangla, Buner, Malakand, Dir upper and Dir lower. The system has not been revived in Chitral. The Magistracy System was revived under Paragraph 7(4) of the Nizam-e-Adl Regulation, 2009, which provides judicial powers to the executive magistrates. Article 175(3) of the Constitution, on the principle of separation of powers, provides that judiciary shall be separated from the executive within fourteen years. The Supreme Court of Pakistan in Mehram Ali vs. Federation of

Pakistan case ruled that the judiciary is independent of the Executive and Legislature.

### **District & Sessions Judge/Zilla Qazi, Swat:**

“In August 2009, when judiciary restarted, we had a dilapidated infrastructure, stranded litigants, demoralized staff, Bar and police added by uncertain and insecure environment. But the judges rolled up their sleeves, determined to stand shoulder to shoulder with the locals in ameliorating the situation. The Zilla Qazi assisted by judges in order to normalize, convened meetings of Criminal Justice Coordination Committee, judges, staff, legal community, jail authorities, Works & Services Department, Revenue officials, District Administration, especially police, electronic and print media; and with their help carved out ways and means to bring back the courts to their normal functions. The result can be seen in the following disposal statistics:

## **D I S P O S A L**

Aug-09	Sept-09	Oct-09	Total
8	208	435	651

We are building on the ashes of insurgency, militancy and consequent deaths & devastation. So all is not well yet. We shall need much to do in vigorous pursuit of total normalcy. For that to achieve, the district judiciary requires moral and material help of Peshawar High Court which hopefully will be extended under the new dispensation.”

### **SECURITY**

A specially convened meeting for considering and adopting foolproof security measures for the High Court Building was held on 2<sup>nd</sup> May 2009, with detailed recommendations for improving the security system of the High Court; however, till 15<sup>th</sup> October, 2009, no practical steps could be taken due to which on 16.10.2009 notices were issued to all the concerned to appear before the High Court. With this background, the Government of N-W.F.P, on 31.10.2009, released additional funds amounting to Rs. 21.025 millions on account of purchase of machinery and equipment for the security of Peshawar High Court, Peshawar, subject to approval of the PC-I/Cost Estimates from the competent forum. Main items to be installed for the purpose include: security cameras, DVRs, television sets, digital inspection units, pocket phones, hydraulic blockers and cabling, etc.

### **ACCESS TO JUSTICE PROGRAM**

Rs. 96.00 Millions have been released for the scheme “Construction of Judicial Complex, Peshawar”. Further, Rs. 22.133 Millions have been released for the scheme “Construction of 80 residences for Judicial Officers in N-W.F.P”. For these releases, an amount of Rs. 123.975 Millions

has been released to Peshawar High Court by the Finance Department, against the ongoing schemes under AJP.

The PDWP approved the Revised PC-I of the Schemes “Construction of Judicial Complex Peshawar” and “Construction of 80 residences for Judicial Officer in N-W.F.P”. Thus, provision has been made for enhancing the security measures under both schemes due to the prevailing circumstances; similarly, provision of Car Parking, Library, Bar Room and public facility as a new scope of work has particularly been included in the scheme “Construction of Judicial Complex Peshawar”. Newly constructed twenty-two residences at Hayatabad, Peshawar, have been allotted to the Judicial Officers at Peshawar whereas two residences have been declared as Bachelor Hostels one each for male and female judges.

Hon'ble the Chief Justice on 10th August, 2009, at Mardan, inaugurated newly constructed residential colony for judicial officers.

The hon'ble Chief Justice, has recently visited the under construction Judicial Complex, Peshawar. He was given a detailed presentation regarding the history of the project, original scope of work, scope of work with reference to 1st and 2nd revision of the PC-I and bottlenecks. During visit it was observed: that the pace of work of the project was not in accordance with the time line of the project and the commitments so far made for its completion till 31st October, 2009; that the work be completed as early as possible, but not later than November, 2009; that the construction work should be minutely supervised by the Works & Services Department in order to ensure its quality as it is the responsibility of the said department; that the workmanship of: Porcelain tiles, Wood works, Bath room tiling, Mosaic, etc. required special attention and improvement as per standards.

### **CONSTITUTION OF DLECS**

In order to promote legal empowerment under the AJP, the District Legal Empowerment Committees are being constituted in each district with District & Sessions Judge as head of the committee; President District Bar Association, Superintendent District Jail, a representative of the civil society to be co-opted by the committee, as members. During first meeting, the DLECs shall also formulate draft proposals regarding the rules which shall be forwarded to the Law & Justice Commission of Pakistan for framing the rules.

The LEF funds will be divided between LJCP and District Legal Empowerment Committee (DLEC). LJCP will manage 70% of LEF while 30 % of LEF will be managed by DLECs. Funds will be disbursed to support ongoing civil society led legal empowerment initiatives across Pakistan. Organizations/individuals interested to promote Legal Empowerment of vulnerable groups will submit their project proposal either to LJCP Secretariat or DLEC.

## READER'S CORNER

**Promotions:** M/S Asal Din, Riaz Khan, Imtiaz Ahmad, Shaukat Ali, Amanullah and Hazir Hussain Assistants (BPS-14) have been promoted as Readers (BPS-18) in the Peshawar High Court with effect from 16th October, 2009.

**District & Sessions Judge, Mansehra:** Two residences for Judicial Officers were damaged during 2005's earthquake in lieu whereof six units are being reconstructed at Mansehra by Earthquake Reconstruction & Rehabilitation Authority (ERRA) for District Mansehra.

**District & Sessions Judge, Peshawar:** To help generate finances for the prisoners confined in Central Jail, Peshawar, due to non-payment of amounts of fine and diyat, Bar and Bench made efforts, resulting into deposit of fine of Rs.3000/- for Ms. Camphor daughter of Rapula of South Africa, involved in a narcotics case.

**Senior Civil Judge Swabi:** There is shortage of judges as compared to the Pendency of cases. Lawyers are often reluctant to appear before district courts despite imposition of costs etc. upon the parties. They even pressurize judges by threatening them of moving and passing resolutions against the judges who compel lawyers to regularly appear before courts. So it is the need of the day that, firstly, number of judges may be increased considerably in such a manner that maximum pendency in each court may not increase 200 cases; secondly, an effective and uniform code of conduct for lawyers may also be prescribed.

**Registrar, Accountability Court, Peshawar:** An official website is being planned to upload data relating to all the Accountability Courts in the N.-W.F.P. The cases of the under trial prisoners are being disposed of on priority basis. 14 main References have been decided.

## STATISTICS

### Peshawar High Court Aug-Oct, 2009

Month	Institution	Disposal
August	1320	420
September	1354	1218
October	1779	1380

### Session Courts Aug-Oct, 2009

Month	Institution	Disposal
August	4438	3554
September	5442	4990
October	7238	7526

### Civil Courts Aug-Oct, 2009

Month	Institution	Disposal
August	7795	7621
September	22231	21704
October	27363	32112

### Anti-Terrorism Courts Aug-Oct, 2009

Month	Institution	Disposal
August	24	19
September	18	16
October	47	34

### Labour Courts Aug-Oct, 2009

Month	Institution	Disposal
August	612	115
September	138	198
October	326	660

## Editor's Note

Dear Readers,

It is a matter of great pleasure to join you again through the publication of this issue of the Newsletter containing significant events like appointment of new honourable Chief Justice and Judges of Peshawar High Court with unequivocal **Message** of his lordship the honourable Chief Justice to all the concerned to start afresh with the spirit, dedication and determination of *Qalandari* rather than *Tawangari* to achieve our objectives of eliminating the feelings of deprivation through dispensation of justice in days and weeks instead of months and years.

Write-ups from the readers would be highly appreciated for the publication of next issue of the Newsletter to make it more enlightening and motivating.

Editor

**Qamar Sohail Lodhi**

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