

YEAR BOOK 2018-2019

Preface

The importance of a year book, published as per rule 25 of the Rules of Business, 1973 has over the years been acknowledged. Surely, it highlights the activities and achievements of a Ministry for the information of the Cabinet and general public. Further, this exercise, in turn, affords an opportunity to the Head of the Ministry to evaluate and revisit the overall performance of the organization and to determine how far the goals set out for the year have been achieved and that what were the difficulties and problems that hindered the progress and what should be the future strategy.

The Ministry of Law and Justice has a unique position and being focal point among the three Organs of the State i.e. the Legislature, Executive and Judiciary is performing its functions to act as a bridge for developing harmony and cohesion. It is consulted by all the Ministries/Divisions on all legal questions including interpretation of any law and before issuance of any rules/regulations and institutions of criminal or civil proceeding in a Court of law in which the Government is involved. Drafting, vetting, scrutiny and examination of Bills, Ordinances and other legal instruments are some of the core functions of the Law and Justice Division. This Division also provides guidance in matters involving legal/ Constitutional issues in relation to good governance.

This report for the year 2018–2019 envisages the activities of different wings of this Ministry including main Division, Special Federal Courts, Tribunals and Central Law offices. It also reflects the goals achieved targets and other activities.

A revaluation and self-assessment of the activities gives us satisfaction that we have been able, to a great extent, to achieve the goals and targets set out for the said year and I must acknowledge that this would have not been possible without the co-operation and synergy provided by my colleagues. I look forward to more effort and contribution by all of us in the years to come.

Secretary

LETTER BY HAZRAT ALI (R.A)TO MALIK-E-ASHTAR GIVING INSTRUCTIONS ON THE QUALIFICATIONS AND THE APPOINTMENT OF JUDGES AND THEIR CONDUCT

It reads: -

So far as dispensing of justice is concerned, you have to be very careful in selecting Judges for the same. You must select people of excellent character and high caliber and with meritorious record. They must possess the following qualifications: -

- i) Abundance of litigations and complexity of cases should not make them lose their temper;
- ii) When they realize that they have committed a mistake in judgment they should not insist on it by trying to justify it;
- iii) When truth is made clear to them or when right path opens up before them, they should not consider it below their dignity to correct the mistake made or to undo the wrong done by them;
- iv) They should not be corrupt, covetous or greedy;
- v) They should not be satisfied with ordinary enquiry or scrutiny of a case, but should scrupulously go through all the pros and cons, they must examine every aspect of the problem carefully, and whenever and wherever they find doubtful and ambiguous points, they must stop, go through further details, clear points and only then proceed with their decision;
- vi) They must attach greatest importance to reasoning, arguments and proof;
- vii) They should not get tired of lengthy discussions and argument;
- viii) They must exhibit patience and perseverance in scanning the details, in testing the points presented as true, in sifting facts from fiction and when truth is revealed to them they must pass their judgments without fear, favour or prejudice;
- ix) They should not develop vanity and conceit when compliments and praises are showered upon them;
- x) They should not be misled by flattery and cajolery;

He further asked in his letter: But there are a few persons having such characteristics. After you have selected such men to act as your

judges, make it a point to go through some of their judgments and to check their proceedings;

- xi) Pay them handsomely so that their needs are fully satisfied and they are not required to beg or borrow or resort to corruption;
- xii) Give them such a prestige and position in your State that none of your courtiers or officers can overawe or harm them;
- xiii) Let Judiciary be above every kind of Executive pressure or influence, above fear or favour, intrigue or corruption.

Scrutinize this matter with particular strictness because before your appointment this State was under the sway of corrupt, time-serving and wealth-grasping opportunists who were lewd, greedy and vicious and who sinfully amassed wealth and pleasures for themselves from the State authority.

This is the complete message, the lesson, the charter, the code of our learning. Let us follow it and the institution of Judiciary and this Country will InshaAllah, thrive and prosper.

The Concept of Freedom in the NahjulBalaghah-
By Dr. Sayyid Wahid Akhtar

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MISSION STATEMENT

Ministry of Law and Justice has a unique position of being a focal point among the Judiciary, Legislative and Executive organs of the Government. This Ministry is a service organization which tenders advice to all offices of the Federal Government including the Provincial Governments on legal, judicial and Constitutional matters. It also deals with drafting, scrutiny and examination of Bills, legal instruments and adaptation of existing laws to bring them in conformity with the Constitution. Further, legal proceedings and litigation by or against the Federal Government is the responsibility of this Ministry. Moreover, activities, like bankruptcy and insolvency, consultation with Attorney-General-Office, administrative control of Income Tax Appellate Tribunal, Sales Tax and Central Excise including the Accountability Courts and Trusts and Trustees are also undertaken by this Ministry.

ORGANIZATION/ORGANOGRAM

(a) Main Ministry

- i. Administration Wing
- ii. Opinion Wing
- iii. Contract Wing
- iv. Solicitor Wing
- v. Legal Information System Wing
- vi. Drafting and Legislation Wing
- vii. Project Wing Access to Justice Programme

(b) Special Federal Courts and Tribunals

- i. Accountability Courts
- ii. Banking Courts
- iii. Appellate Tribunal Inland Revenue (ATIR)
- iv. Environmental Protection Tribunal
- v. Insurance Appellate Tribunal
- vi. Special Courts (Control of Narcotics Substances)
- vii. Courts of Special Judges (Central)
- viii. Competition Appellate Tribunal
- ix. Special Courts (Offences in Banks)
- x. Special Courts (Customs, Taxation and Anti-Smuggling)
- xi. Drug Courts
- xii. Commercial Courts
- xiii. Foreign Exchange Regulation Appellate Board
- xiv. Customs, Excise and Sales Tax Appellate Tribunal
- xv. Law and Justice Commission of Pakistan
- xvi. Federal Judicial Academy
- xvii. Federal Shariat Court
- xviii. Federal Service Tribunal
- xix. Special Courts Anti Terrorism

(c) Central Law Officers

- i. Office of the Attorney-General for Pakistan
- ii. Additional Attorney General for Pakistan
- iii. Deputy Attorney-General
- iv. Standing Counsels
- v. Research Assistants

SUBJECTS ALLOCATED UNDER THE **RULES OF BUSINESS**

In accordance with the Rules of Business, 1973, the main functions and business assigned to this Ministry are as follows:-

1. Advice to Divisions on all legal and Constitutional questions arising out of any case and on the interpretation of any law.
2. Advice to Provincial Governments on legal and legislative matters.
3. Drafting, scrutiny and examination of Bills, Ordinances and all legal and other instruments.
4. Dealings and agreements with other countries and International organizations in judicial and legal matters.
5. Arrangements for the publication and translation of Federal Laws and other statutory rules and orders, copyright in Government Law publications.
6. Adaptation of existing laws to bring them in conformity with the Constitution.
7. Legal proceedings and litigation concerning the Federal Government except the litigation concerning Revenue Division.
8. Administrative control of the Income Tax Appellate Tribunal and the Customs, Central Excise and Sales Tax Appellate Tribunal.
9. Special Judges under the Criminal Law Amendment Act, 1958.
10. Federal Government functions in regard to the Supreme Court, Supreme Judicial Council, High Courts, Federal Shariat Court, Federal Ombudsman and Tax Ombudsman, Insurance Ombudsman and Banking Ombudsman.
11. Attorney General and other Law Officers of the Federation.
12. Federal functions in respect of the Family Law Ordinance and the Conciliation Courts Ordinance.
13. Consultation with the Attorney General for Pakistan, etc.

14. Administrative Courts for Federal subjects.
15. Wills, intestacy and succession in respect of federal areas, save as regards agricultural land.
16. Bankruptcy and insolvency, administrator general and official trustees in respect of federal areas.
17. Arbitration in respect of federal areas and international arbitration.
18. Trust and trustees in respect of Federal areas.
19. Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973).
20. Omitted vide SRO 428 (1)/2018 dated 04.04.2018.
21. The Law and Justice Commission Ordinance, 1979 (XIV of 1979) and Federal Government functions related to the Commission.
22. The Federal Judicial Academy Act, 1997 (XXVIII of 1997) and Federal Government functions related to the Academy.
23. Federal Government functions in regard to the National Accountability Bureau.
24. National Accountability Ordinance, 1999 (XVIII of 1999.)
25. Ombudsperson appointed under section 7 of "Protection against Harassment of Women at the Workplace Act, 2010 (IV of 2010).
26. Issuance of legal opinion for disbursement and drawdown.
27. Council of Islamic Ideology.

PERFORMANCE OF VARIOUS WINGS

DRAFTING AND LEGISLATION WING

The Drafting and Legislation Wing of the Law and Justice is responsible for scrutinizing, vetting and, as the case may be, drafting of principal and subordinate legislation received from various Ministries and Divisions of the Federal Government. These include Bills, Ordinances, President's Orders, rules, regulations, bye-laws, statutory notifications, orders and other instruments. During the process of vetting and drafting, this Wing also tenders advice on the competency of the Parliament to legislate on the proposed legislative proposals. The detail of principal legislation dealt with during the period from 01-07-2018 to 30-06-2019 is as follows:-

- a) List of President's Orders;
- b) List of Ordinances; and
- c) List of Acts

2. Drafting and Legislation Wing assists the Standing Committees of both Houses i.e. National Assembly and the Senate for examining the Official Bills and Private Members Bills referred to the Committees by the National Assembly or Senate, as the case may be. The Officers of Drafting and Legislation Wing are required to attend almost all meetings of the Standing Committee/ Special Committees of both the Houses rendering advice and assistance during the examination of the Bills etc. including final vetting of reports of the Committees before they are presented in the House concerned.

3. Three hundred and forty five Private Members' Bills including Constitution (Amendment) Bills were received in the Drafting and Legislation Wing from National Assembly and Senate for advice and examination.

4. Moreover, 4684 receipts, mostly pertaining to subordinate legislation i.e. notifications, orders, rules, regulations, bye-laws and other

statutory instruments were received for vetting which after necessary vetting were returned to the concerned Ministries and Divisions.

5. The following laws have been made during the year:-

**LIST OF PRESIDENT’S ORDERS ISSUED DURING THE
01-07-2018 TO 30-06-2019**

S.No	Short Title
1.	The Supreme Court Judges (Leave, Pension and Privileges) (Amendments) Order, 2018
2.	Salary of Judges of the Supreme Court Order, 2018
3.	Salary of Judges of the High Court Order, 2018
4.	The Supreme Court Judges (Leave, Pension and Privileges) (Amendment) Order, 2018
5.	The High Court Judges (Leaves, Pension and Privileges) (Amendment) Order, 2018

**LIST OF ORDINANCES PROMULGATED DURING THE
01-07-2018 TO 30-06-2019**

S.No	Short Title
1.	The Federal Public Service Commission (validation of Rules) Ordinance, 2018 (Ordinance No. XII of 2018)
2.	The Election (Amendment) Ordinance, 2018 (Ordinance No. XIII of 2018)
3.	The Election (Amendment) Ordinance 2018 (Ordinance No. I of 2019)
4.	The Pakistan Medical and Dental Council Ordinance, 2019 (Ordinance No. II of 2019)
5.	The Assets Declaration Ordinance, 2019 (Ordinance No. III of 2019)
6.	The Naya Pakistan Housing and Development Authority Ordinance, 2019 (Ordinance NO. IV of 2019)

**LIST OF ACTS ISSUED DURING THE
01-07-2018 TO 30-06-2019**

S.No	Short Title
1.	The Finance Supplementary (Amendment) Act, 2018. (Act No. XXXVIII of 2018)
2.	The West Pakistan Juvenile Smoking (Repeat) Act, 2018. (Act No. XXXIX of 2018)
3.	The Pakistan Prohibition of Smoking Cinema Houses (Repeat) Act, 2019 (Act No. 1 of 2019)
4.	The Elections (Amendment) Act, 2019 (Act No. II of 2019)
5.	The Finance Supplementary (Second Amendment) Act, 2019 (Act No. III of 2019)
6.	The Elections (Second Amendment) Act, 2019 (Act No. IV of 2019)

OPINION WING

- i) It deals with the cases of the legal opinion received from the different Ministries/Divisions/Departments.
- ii) It also deals with the matters of interpretation of law received from the different Ministries/Divisions/ Departments.
- iii) It also deals with mercy petitions of condemned prisoners.
- iv) Prepare para-wise comments on writ petitions received from the Solicitor wing of this division filed by the aggrieved persons against the decisions of the hon'ble President Islamic Republic of Pakistan in Wafaqi Mohtasib and Federal Tax Ombudsman cases.
- v) Miscellaneous matters.

2. Following is the detail of achievements of this Section during the financial year ending on 30th June, 2019.

i) **OPINION AND INTERPRETATION OF LAW CASES.**

During the said period 726 cases received in this section for Opinion and Interpretation of Law and the same were disposed off.

ii) **MISCELLANEOUS MATTERS.**

During the said period 4 cases of miscellaneous nature were received and the same were disposed off.

CONTRACT WING

Contract Wing deals with vetting of Treaties, Agreements, Contracts, Sovereign guarantees etc. Matters pertaining to interaction with the International Organizations in legal and legislative matters are also dealt with this Wing.

ACHIEVEMENTS DURING THE FINANCIAL YEAR 2018-2019

1. **INTERNATIONAL/ DOMESTIC AGREEMENTS, TREATIES, MOUS, CONTRACTS, PROTOCOLS ETC**

Around 407 International and Domestic Agreements Treaties, MOUs, Contracts, Protocols etc from different Ministries/Divisions/Departments for vetting/ comments and examination, were received/ disposed off.

2. **LEGAL OPINION**

Around 35 Legal Opinions from different Ministries/ Division/ Departments, were received/disposed off.

3. **INTERNATIONAL ORGANIZATIONS**

Pakistan at International level is associated with different Legal For a/Organizations and regularly pay annual contributions. Following seven International Organizations have been paid annual contribution by this Division on Behalf of the Government of Pakistan during the financial year 2018-19:-

- i) The Commonwealth Legal Advisory Service, London, UK.
- ii) The British Institute of International & Comparative Law, London, UK.
- iii) The International Institute of the Unification of Private Law Rome (UNIDROIT).
- iv) The Permanent Court of Arbitration (PCA, The Hague, Netherland).
- v) The International Islamic Fiqah Academy, Jeddah (Saudi Arabia).
- vi) The Asian- African Legal Consultative Organization (AALCO) New Delhi, India.
- vii) The Commonwealth Magistrates and Judges Association, London, UK.

SOLICITOR WING

The Solicitor Wing of this Ministry deals with cases/suits/writ petitions filed in different courts against and for the Government of Pakistan at all local, national, and international levels. This Wing also deals with the payment of fee, Court fee and Misc. expenditure concerning Court cases to advocates who are engaged by this Division for filing & conducting cases and defending of the Government cases. This Wing consists of five Sections *i.e.* Solicitor-I, II, III, IV and Lit Section. The performance of this wing *w.e.f* 01.07.2018 to 30.06.2019 is as under:

<u>S.No.</u>	<u>Name of Courts</u>	<u>Sol-I</u>	<u>Sol-II</u>	<u>Sol-III</u>	<u>Sol-IV</u>	<u>Lit</u>	<u>Total</u>
1.	Supreme Court	36	212	132		47	427
2.	High Courts	123	36	1829		592	2580
3.	Federal Service Tribunal	-	644				644
4.	Federal Shariat Court	-		5			5
5.	Labour Court/NIRC	-	94	-			94
6.	Lower Courts	389		-			389
7.	Foreign Services Summons	105		-			105
8.	Miscellaneous (Arbitration + References to Attorney General for Pakistan)	3	22	-		149	174
9.	Total References	-		-	1877		1877
10.	Diaries	1460	2893	3092		1332	8777
11.	U.O Nos	1034	1398	1294		692	4418
Grand Total		3150	5299	6352	1877	2812	19490

LEGAL INFORMATION SYSTEM WING

Legal Information System (Computer Wing) is responsible for digitization of Pakistan Code, Acts, Ordinances, President's Orders, Statutes, Chief Executive Orders, etc. and their further placement on the official website (www.pakistan.gov.pk) or (www.molaw.gov.pk) of the Law and Justice Division to facilitate the citizens. In addition, this Wing also deals with the issues of Local Area Network, Maintenance and updation of website, Trouble Shooting of Network and tendering of advice in matters related to Information Technology. Work done during the year 2018-2019.

- i) Digitization of various Ordinances/Acts promulgated in the year 2018-19;
- ii) Placement of latest Notifications regarding Appointment/Postings & Transfer of Judges and Law Officers on the official website of Law and Justice Division on regular basis;
- iii) Developed and maintained of new customized software as per requirements of the Administration.
- iv) All the Consolidated Reports of National Assembly/Senate Questions
- v) Preparation of various need based presentations of main Ministry in respect of information/progress/achievements as per demand of Prime Minister's Office and Standing Committees Etc.
- vi) Development and Maintenance of Litigation Software and maintain approximately 15000 records, regarding appointment of Panel Advocates, DAGs, SCs, AORs etc.
- vii) Maintenance and reporting of Biometric Attendance System
- viii) Development and maintenance of new customized software of Solicitor Wing and Administration External Wing as per requirements.
- ix) Updating of official website of Ministry of Law and Justice www.molaw.gov.pk and Subscription/maintenance of www.pakistanlawsite.com
- x) Administration and maintenance of Local Area Network, trouble shooting of end user computer systems (Software and Hardware).
- xi) Maintenance and reporting of CCTV Cameras

ADMINISTRATION WING

This Wing is responsible for the overall administration of the Ministry and provides personnel and logistic support to all the Wings as well as to the Federal Courts/Tribunals, established under different laws at various stations. Administration Wing consists of two Joint Secretaries, three Deputy Secretaries and nine Section Officers. Joint Secretary-I deals with external administrative matters of the Federal Courts and Tribunals. Joint Secretary-II deals with internal matters of main Ministry. Three Deputy Secretaries have been assigned separate and well defined functions/duties. Deputy Secretary (Admn-I) deals with the administrative matters of all the Federal Courts and Tribunals. 7 employees were promoted various posts BS-16, BS-17, BS-18 and BS 19 on regular/acting charge basis. Deputy Secretary (Admn-II) deals with the administration, budget and financial matters including PAC meetings. Deputy Secretary (Coordination) deals with the coordination matters. Similarly all the Section Officers have been assigned separate functions in accordance with the Secretariat Instructions.

Appointments of Banking Mohtasib Pakistan was made with the approval of the President w.e.f 15.04.2019. 3 persons were appointed in MP Scales during the period. 5 Temporary posts of the Ministry have been converted into permanent footing. All the other matters (Advances, Leave etc) with regard to employees of this Ministry were disposed of accordingly,

34 non-transferable posts of a completed project viz. “Archiving and Digitization and Regulation of Publication of Law of Pakistan” in Ministry of Law and Justice has been converted from Development to current expenditure of the Ministry.

Administration Wing coordinates and processes the appointment of judges of High Courts, Supreme Court of Pakistan and their Chief Justices. Administration Wing also deals with the pay and allowances, pension and other privileges of the judges of the Superior Courts. In addition, Administration Wing also deals with the appointment of Attorney General for Pakistan, Additional Attorneys General, Deputy Attorneys General, Standing Counsels and other Law Officers and staff working in the Offices of Attorney General for Pakistan, Additional Attorneys General, Deputy Attorneys General and Standing Counsels as well as Federal Courts/Tribunals. Administration also processes the provision of office building, transport and other facilities to the Federal Courts and Tribunals.

Administration Wing deals with appointment of the Judges/Presiding Officers, Technical / Judicial Members in Federal Courts / Tribunals. At present 24 Accountability Courts, 30 Banking Courts, 4 Special Courts (Customs,

Taxation and Anti Smuggling)4 Special Courts (Offences in Banks), 10 Special Courts (Central), 7 Special (CNS) Courts, 10 Drug Courts, 8 Custom Appellate Tribunal, 2 Commercial Courts, 20 Benches of Appellate Tribunal Inland Revenue, 2 Foreign Exchange Regulation Appellate Tribunal, 3 offices of Federal Service Tribunal,1 Anti-Dumping Appellate Tribunal,4 Environmental Protection Tribunals at Provincial headquarters and 1 Insurance Appellate Tribunal are functioning, under the administrative control of this Ministry.

Matters relating to the Budget and Accounts as well as Finance and Accounts including budget estimates, monitoring of expenditure, reconciliation of accounts with the respective audit circle, re-appropriation of funds, supplementary grants, surrender of savings, examination of audit inspection reports, co-ordination with F.A. Organization, sanction of expenditure out of discretionary grants, cash handling, consolidation of PSDP and the matters relating to Public Accounts Committee as well as internal checks are being dealt with by B&A Section of the Administration Wing.

FINANCE AND ACCOUNTS SECTION

1. TENDERING ADVISE TO HIGH UPS IN FINANCIAL / ADMINISTRATIVE MATTERS.

During the Period from 1st July, 2018 to 30th June, 2019, **1867** Financial and Administrative cases were received in this Section. All the Financial and Administrative matters are routed through F&A Section for getting advice and vetting of the cases. It also tenders advice to high ups in administrative and Financial matters of the files relating to Admin-I, II, III, IV, V, VI, Coord, Pension, Library, General Section and Development Wing of this Division as well as Law & Justice Commission of Pakistan and Federal Judicial Academy which are under the Administrative Control of this Ministry.

2. INTERNAL CHECKING.

Under Para No. 13 of GFR Vol-I, Internal Checking of the accounts is mandatory once a year. Internal Checking of main Ministry and various Offices/Courts/Tribunals scattered all over the country is carried out by a team of F&A Section under the supervision of Chief Finance & Accounts Officer (CF & AO). List of the Offices / Courts / Tribunals is as under, in respect of which Internal Audit has been carried out during the financial year 2017-18:

S. No	Name of Office / Courts / Tribunal
1	Competition Appellate Tribunal, Islamabad
2	Custom Excise Sales Tax Appellate Tribunal, Bench-I, Karachi
3	Custom Excise Sales Tax Appellate Tribunal, Bench-II, Karachi
4	Custom Excise Sales Tax Appellate Tribunal, Bench-III, Karachi

3. PREPARATION/SUBMISSION OF ACCOUNTS (BRIEF) OF THE MINISTRY TO THE PUBLIC ACCOUNTS COMMITTEE.

Preparation / Submission of accounts (brief) of the Ministry to the Public Accounts Committee in respect of Audit Reports/Grants controlled by this Division.

4. HOLDING OF DEPARTMENTAL ACCOUNTS COMMITTEE (DAC) TO SETTLE THE OUTSTANDING AUDIT REPORTS.

Holding of Departmental Accounts Committee (DAC) to settle the outstanding audit reports and appropriation accounts. Departmental Accounts Committee (DAC) comprises Secretary as Chairman with representative of Finance Division (DFA Law) and Directorate General Audit (D.G Audit) as its members. F&A Section collect replies of the Grants/ Audit Reports from the quarters concerned and prepares working papers in this regard for the DAC meeting.

5. AUDIT & INSPECTION REPORTS.

F&A Section deals with Audit & Inspection Reports received from Director General Audit in respect of main Ministry and Offices, Courts, and Tribunals country wide established. F&A Section collects the replies from the Offices/Courts/Tribunals and submits these replies to the Directorate General Audit in annotated form after necessary vetting as well as after conducting Internal Audit of the Offices/ Courts/ Tribunals, any short comings/ observations noticed during the Internal Check are incorporated in the report and the same is forward to the concerned quarters after obtaining approval by competent authority i.e Secretary Law and Justice to obtain their replies with the directions to take necessary actions to avoid the recurrence of such implications in future.

6. MONITORING OF RECONCILIATION OF EXPENDITURE WITH THE AGPR AND ESTIMATES OF NON TAX REVENUE RECEIPTS.

This Division has more than 300 Offices, Courts and Tribunals country wide F&A Section monitors monthly Reconciliation of Account in respect of above Offices, Courts and issue reminders in this regard. More over it collects the data of estimates of Non-Tax Revenue Receipts from all the Offices/Courts/Tribunals and submits the same to Finance Division for preparation of budget.

Federal Insurance Ombudsman (FIO)

Progress of the FIO during the preceding year, is submitted as under:

- **Complaints Received:** The number of complaints increased by 25% over the past three years, which indicates increased level of public confidence in the delivery mechanism and relief available to them at this Forum.
- **Complaints disposed of:** In terms of technical disposal the number of complaints adjudicated and disposed of also grew 78% over the past three years.
- **Monetary Relief:** When we assess the volume of overall monetary relief vis-à-vis total number of complaints, we find a total relief which is 25% more than the past three years. Complaints amicably resolved in past three years show an upward dispensation of 200%.
- **Review Applications by Parties:** A review of FIO findings, recommendations or order is available to the parties but it is also a litmus test of the efficacy and due diligence to which the FIO forum has adjudicated upon the complaints. During the year 2018-19 only 6.9 % decisions out of total disposed of by the FIO forum were contested by the respective parties in review. It shows the rising trend of satisfaction by the all parties on the forum of the FIO and its acumen and transparency as a result of better output performance and due diligence.
- **Representation by Parties:** Similarly the number of Representations made in the year 2017-18 show that 6.00% of the total cases disposed off by the FIO forum have gone into representation. These are quite encouraging figures and indicate growing public and corporate confidence in the FIO forum on one hand and on the other hand these also reinforce the judicious performance, correct usage and across the board exercise of powers by the FIO and his team of officers.

DEVELOPMENT WING

Government is committed to provide speedy and inexpensive justice to all citizens and improve Access to Justice of common man. This Ministry has initiated / executed various projects to improve Judicial Infrastructure and institutional capacity building at Federal level directly / indirectly improving Access to Justice for citizens of Pakistan by enhancing capacity & provision of infrastructure for agencies involved in administration of justice. Following Projects were initiated/executed during FY 2018-19 in connection with Principles of Policy: -

S No.	Project Title	Approved/ Estimated Cost	Approval Status	Expenditure upto 30.06.2018	Objectives
1	Construction of Additional Block (West) in Judicial & Administration Complex at Mauve Area, G-10/1, Islamabad (PC-II)	15.000	DDWP 21-09- 2017	1.198	Provide design of purpose built building of District Courts of Islamabad, for their shifting from F-8 Markaz
2	Construction of Federal Courts Complex, Tribunal at Peshawar	627.787	CDWP 18.05.201 2	536.400	To provide permanent chambers and courts to the judges of Federal Courts at Peshawar, to bring all Federal Courts at one place which are presently working at scattered places at Peshawar. Building is substantially completed and occupied.
3	Construction of Islamabad High Court, Islamabad	2852.200	CDWP 23.09.201 4	1995.170	Since, establishment of Islamabad High Court, it is functioning in the building constructed for District Judiciary. To provide proper working environment it was decided to construct its own building for which plot measuring 5 Acres at the Constitution Avenue was acquired from CDA. By implementing this Project, proper facilities will be provided to the Honorable Judges

					and general public. Total covered area of the building 414,000 SFT.
4	Construction of Official Residence of Hon'able Federal Tax Ombudsman (FTO) at Sector F-5/2, Islamabad	53.056	DDWP 11-18-2015	52.816	The objective is to provide adequate Official accommodation to Federal Tax Ombudsman. The building is substantially completed.
5	Public Awareness and Advocacy about Dispute Resolution Mechanism of FTO	59.400	DDWP 18.11.2015	19.860	The objective of the Project is to raise awareness on the mandate of the FTO office created under FTO Ordinance 2000 which seeks to provide quick and inexpensive redressal of tax payers' grievances against maladministration. The Project aims at Public Awareness of messes to the services offered by FTO in tax matters, through electronic and print media campaign.
6	Strengthening of Institutional Capacity of Ministry of Law and Justice	57.596	DDWP 15-7-2014	51.058	The main objective of this Project is to provide strengthening to institutional capacity of the Ministry of Law & Justice and its allied departments for efficient and effective official business.
7	Automation of Federal Courts Located at Federal Courts Complex at Islamabad (Revised)	49.179	DDWP 06.12.2016	0.71	The main objective of this Project is to provide state of the art information technology backbone for automation of Business process at the Federal Courts for efficient and effective disposal of cases. Recruitment in process.
8	Strengthening the Ombudsman System of Administrative Justice and up-gradation /	58.035	DDWP 30-05-2016	18.323	Computerized Complaint Management Information System will help to provide much improved and efficient complaint redress services to the aggrieved tax payers.

	Expansion of Online Complaint Management Information System (CMIS)				
9	Construction of Supreme Court of Pakistan Branch Registry Building at Karachi (PC-II)	40.000	DDWP 05-07- 2018	2.028	The Federal Government has allotted a land measuring 6.89 Acres for construction of Supreme Court of Pakistan, Branch Registry at Karachi. The purpose of the instant PC-II is to prepare design of building as per requirements of Supreme Court of Pakistan.
10	Construction of Federal Courts Complex, Tribunal at Lahore	2150.000	CDWP 18.05.200 4	87.600	The Project is designed to house 30 Federal Courts of various discipline at one centralized location which are presently housed in various scattered location in Lahore.
	Total	3,812.25		2,677.563	

LAWS OF PAKISTAN CELL (PCT WING)

Government is committed to provide speedy and inexpensive justice to all citizens and improve Access to Justice of Common man. This Ministry has initiated /executed various projects to improve Judicial Infrastructure and Access to Justice for Citizen of Pakistan by enhancing Capacity and Provision of Infrastructure for agencies involved in administration of Justice.

During Financial Year 2017-18, after closing of project, the posts were transferred from development to current side for smooth functioning of the cell. The approval of Cabinet and Finance Division was also concurred for the posts in “Laws of Pakistan Cell” were framed with the approval of Establishment division and FPSC respectively. Requisition for filling of the vacant posts was sent to FPSC accordingly.

During Financial Year 2018-2019, the recruitment rules for the posts in “Laws of Pakistan Cell” were framed with the approval of Establishment division and FPSC respectively. Requisition for filling of the vacant posts was sent to FPSC accordingly.

- Anti Terrorism Act, 2018
- Apprenticeship Act 2018
- COMSATS University Islamabad Act, 2018(ACT NO_XI OF 2018)
- Constitution (Twenty-fifth Amendment) Act, 2018
- criminal laws (amendment) Act, 2018
- Finance Supplementary (Amendment) Act, 2018.
- Finance Supplementary (Amendment) Act, 2018
- Gas Infrastructure Development Cease (Amendment), 2018
- Institute for art and culture Act, 2018
- Institute of Science and Technology Bahawalpur act, 2018
- Juvenile Justice System Act, 2018 (Act No_ XXII of 2018)
- Legal Practitioners and Bar Councils (Amendment) Act, 2018
- Marine Insurance Act 2018 min
- National Assembly Secretariat Employees Act, 2018 (Act No.VII of 2018)
- National Civic Education Commission Act, 2018
- National University of Technology Act, 2018
- Pakistan Bait ul Mal Act(Amendment), 2018
- President’s Salary, Allowances and Privileges (Amendment) Act, 2018
- President’s Salary, Allowances and Privileges (Amendment) Act, 2018
- Prevention of cruelty to animal (amendment) act, 2018
- prevention of smuggling of Migrants act, 2018
- Prevention of Trafficking in persons
- Regulation of Cencirrtion Transmission and Distribution of electric Power ,2018
- Regulation of Cencirrtion, Transmission and Distribution of electric Power, 2018
- Shaheed Zulfiqar Ali Bhutto medical university, Islamabad

- Sir Syed-CASE (Center) for Advanced Studies in Engineering) institute of technology Islamabad act 2018
- The Corporate Rehabilitation Act, 2018
- The Establishment of the Federal Bank for Cooperatives and Regulation of Cooperative Banking (Repeal) Act, 2018 (Act No_XXVI of 2018)
- The Federal Employees Benevolent Fund and Group Insurance (Amendment) Act, 2018
- The Health Services Academy (Restructuring) Act, 2018
- The House Building Finance Corporation (Repeal) Act, 2018 (Act No_XXV of 2018)
- The Islamabad Capital Territory Child Protection Act, 2018
- The Islamabad Healthcare Regulation Act, 2018 (Act No_ XXIII of 2018)
- The Law and Justice Commission of Pakistan (Amendment) Act, 2018
- The National Commission on the Status of Women (Amendment) Act No.II 2018)
- The National Commission on the Status of Women (Amendment) Act No.II 2018)
- The National Skills University Islamabad Act, 2018
- The Prevention of Trafficking in Persons Act, 2018
- National Accountability Bureau (Amendment)
- National Information Technology Board, Ordinance No. X of 2019
- Superior Court (court dress and mode of address) 2019

Administration Court of Federal Special across the Country

ACCOUNTABILITY COURTS

Twenty-four Accountability Courts have been established under the National Accountability Ordinance, 1999 (XVII of 1999) for speedy disposal of cases involving corruption and corrupt practices, abuse of and for matters connected and ancillary or incidental thereto by the Government servants and politicians.

BANKING COURTS

In terms of section 5(1) of the Financial Institutions (Recovery of Finances) Ordinance 2001, (Ord. No. XLVI of 2001), the Federal Government may, by notification in the official Gazette, establish as many banking courts as it considers necessary. Presently, there are 30 Banking Courts established all over the country for recovery of loan from the defaulters. Under section 8 of the Ordinance, a financial institution may, within three years from the date of coming into force of this Ordinance, file a suit for the recovery of any amount written off, released or adjusted under any agreement, contract or consent including a compromise or withdrawal of any suit or legal proceedings or adjustment of a decree between a financial institution and a customer. The performance of Banking Courts during financial year 2018-2019 is as under:

S.No	Name of Courts	Disposed Off Cases	Pending Cases
1.	Banking Court, Sargodha	688	925
2.	Banking Court, Islamabad	460	1283
3.	Banking Court-II, Karachi	171	992
4.	Banking Court-I, Peshawar	302	459
5.	Banking Court, Abbottabad (Hazara Division)	142	186
6.	Banking Court-III, Multan	494	1021
7.	Banking Court-II, Multan	1112	1362
8.	Banking Court-II, Lahore	1443	1296
9.	Banking Court-V, Lahore	289	1003
10.	Banking Court, Bahawalpur	472	1106

S.No	Name of Courts	Disposed Off Cases	Pending Cases
11.	Banking Court-I, Lahore	918	1120
12.	Banking Court-IV, Lahore	628	1012
13.	Banking Court-II, Peshawar	459	562
14.	Banking Court-VI, Lahore	321	1017
15.	Banking Court-VII, Lahore	541	1032
16.	Banking Court-II, Larkana	40	137
17.	Banking Court-II, Hyderabad	310	1108
18.	Banking Court-I, Hyderabad	177	665
19.	Banking Court-I, Sukkur	248	740
20.	Banking Court-I, Karachi	377	973
21.	Banking Court-IV, Karachi	154	173
22.	Banking Court, Sahiwal	256	1504
23.	Banking Court-III, Karachi	357	760
24.	Banking Court, Balochistan, Quetta	188	319
25.	Banking Court-III, Lahore	392	1109
26.	Banking Court-II, Sukkur	385	1501
27.	Banking Court-II, Gujranwala	1398	1610
28.	Banking Court-I, Gujranwala	715	1327
Total		13437	26302

APPELLATE TRIBUNAL INLAND REVENUE (ATIR)

Appellate Tribunal Inland Revenue HAS BEEN functional since before partition. At present there are 20 Benches and each Bench consists of one Judicial and one Accountant Member, both in BPS-21. There are 7 Benches at Karachi, 9 Benches at Lahore, 3 Benches at Islamabad including Headquarter Bench and 1 Bench at Peshawar. The Headquarter of the Tribunal is at Islamabad and headed by a Chairman who is A BPS-22 OFFICER. The Appellate Tribunal Inland Revenue is a quasi-judicial forum established under the Income Tax Ordinance, 2001. During the preceding financial year, the activities of the Appellate Tribunal Inland Revenue were as under:

- (i) hearing and deciding the appeals regarding Income Tax, Sales Tax and Federal Excise matters which were filed by the assesses or the Department against the orders passed by the Commissioners of Income Tax (Appeal)/Inland Revenue;
- (ii) hearing disposal of applications regarding stay of recovery of demand;
- (iii) hearing and disposal of reference applications; and
- (iv) hearing the miscellaneous applications.

Program of activities set-out for the Appellate Tribunals Inland Revenue during the preceding financial year and the extent to which they have been realized.

The activities of the Appellate Tribunal Inland Revenue during the preceding financial year disposed off maximum number of appeals. The target for deciding the Income Tax Appeals during last year was almost achieved.

Appellate Tribunal Inland Revenue, Islamabad

S. No	Name of Court	No of Cases disposed off	No of cases pending
1	Appellate Tribunal, IR, Islamabad	14605	4576

ENVIRONMENTAL PROTECTION TRIBUNAL

The Environmental Protection Tribunals were constituted under the Environmental Protection Act, 1997. At present, there are four Environmental Protection Tribunals, one each at Karachi, Lahore, Peshawar and Quetta. These are headed by Chairperson (BPS-21) and two Members, one Member Technical (BPS-21) and the other Member Legal (BPS-20). The Environmental Protection Tribunal is the final fact findings authority in cases/issues related to Environment as a whole. Complaints and Appeals against the legal actions of the Environmental Protection Agency are entertained as per Environmental Protection Act, 1997 read with the rules and regulations provided there under. Private individuals can also approach the Tribunal seeking relief for their grievances against the alleged polluters. The scope and object for the jurisdiction is laid down in Environmental Protection Act, 1997.

ANTI DUMPING APPELLATE TRIBUNAL

The Anti Dumping Appellate Tribunal has been established in accordance with Anti Dumping Duties Act, 2015. At Present, there is one Anti Dumping Appellate Tribunal, at Islamabad. This headed by Chairman (MP-I) and two Members, one Member Technical (MP-I) and other Member Judicial (MP-I). The Anti Dumping Appellate Tribunal is the final fact findings authority in cases/issues related to National Tariff Commission

ANTI DUMPING APPELLATE TRIBUNAL, ISLAMABAD

S.No	Name of Court	No of cases disposed off	No of cases Pending
1	Anti Dumping Appellate Tribunal	62	132

INSURANCE APPELLATE TRIBUNAL

Insurance Appellate Tribunal was established under the Insurance Ordinance, 2000 repealing Insurance Act, 1938 (IV of 1938). Tribunal is established at Karachi, which comprises of a Chairman, one Member Technical and one Member Legal. At present, the Tribunal is non-functional as neither the Chairman nor any Member is posted in the Tribunal. However, powers under the provisions of Insurance Ordinance, 2000 have been delegated to District & Sessions Judges in each Province.

(a) The Insurance Appellate Tribunal, Karachi was functioning and proceeded with the Appeal under Section 110 and Application under Section 47 of the Insurance Act, 1938, respectively but in the year 2000, the said Act was repealed by proclamation of new Insurance Ordinance 2000, under which new Insurance Tribunals are to be constituted under the said Ordinance, but so far no Tribunal has been constituted.

(b) No activities are proposed as no Tribunal is constituted. The present and past budget allocations for this Tribunal are insufficient and are only able to meet the minimum possible expenditure of the Tribunal. Immediate reconstitution of Tribunal is required to try the cases under the Insurance Ordinance 2000. The District and Sessions Judge, Karachi (Central) looks after the work of the Insurance Tribunal for Province of Sindh at Karachi.

SPECIAL COURTS (CONTROL OF NARCOTIC SUBSTANCES)

Special Courts (Control of Narcotics Substances) were constituted under the Control of Narcotics Substances Act, 1997. Previously, there were six Special Courts, two at Karachi, one each at Lahore, Rawalpindi/Islamabad, Peshawar and Quetta headed by a Presiding Officer (District & Sessions Judge). However, in 2012, another Special Court (Control of Narcotics Substances) was established in Islamabad Capital Territory for expeditious disposal of cases. Besides this, Special Courts (Control of Narcotics Substances), powers have also been conferred on most of the District & Sessions Judges of Pakistan under the said Act to try narcotics cases.

COURTS OF SPECIAL JUDGES (CENTRAL)

In terms of Section 3(1) of Pakistan Criminal Law Amendment Act, 1958, the appropriate Government may appoint as many Special Judges as necessary to try and punish offences specified in the Schedule of this Act. Previously, 08 Special Judges (Central) were working throughout Pakistan. However, in 2012, another Special Court (Central) was established in Islamabad Capital Territory for expeditious disposal of cases. Province wise break up is as given under:-

COMPETITION APPELLATE TRIBUNAL

The Competition Act, 2010 has been promulgated to ensure free competition in all spheres of commercial and economic activity to enhance economic efficiency and to protect consumers from anti-competitive behaviour. The Act establishes the Competition Commission of Pakistan. In terms of Section 43 of the Act, the Federal Government has constituted the Competition Appellate Tribunal, Islamabad in 2011.

SPECIAL COURTS (OFFENCES IN BANKS)

The Special Courts were established under the Offences in Respect of Banks (Special Courts Ordinance, 1984 No. IX of 1984). The Federal Government may, by notification in the official Gazette, establish as many Special Courts as it considers necessary. A Special Court may take cognizance of any scheduled offence upon receiving a complaint of the facts which constitute such offence or upon a report in writing of such facts made by any police officer. There are four Special Courts in the Country at Islamabad, Lahore, Karachi and Peshawar.

SPECIAL COURTS

Sr. No	Name of Court	Disposal	Pendency
1.	Special Court, OIB-I, Lahore	108	206
2.	Special court, OIB, Islamabad	00	33
3.	Special Court, OIB, Karachi	43	196
4.	Special Court, OIB, Peshawar	01	17
5.	Special Court, OIB, Multan	46	106
6.	Special Court, OIB-II, Lahore	107	134
7.	Special Court, OIB, Quetta	05	18

SPECIAL COURTS (CUSTOMS, TAXATION & ANTI-SMUGGLING)

Sr. No	Name of Courts	Pendency	Institution	Disposal	Balance
1.	Special Court (Custom, Taxation & Anti Smuggling), Peshawar	92	116	84	124

DRUG COURTS

Sr. No	Name of Court	Disposal	Pendency
1.	Drug Court, Islamabad	18	03
2.	Drug Court, Peshawar	724	498
3.	Drug Court, Balochistan, Quetta	63	112

COMMERCIAL COURTS

Two Commercial Courts viz. at Karachi and Lahore have been established under Imports and Exports (Central) Act, 1950. Both the Courts are without regular Presiding Officers. The work is being looked after on additional charge basis. It is pertinent to mention that due to minimal number of cases in these Courts, the need for appointment of a regular Judge has not been felt.

Sr. No	Name of Court	Disposal	Pendency
1.	Commercial Court, Lahore	00	31
2.	Commercial Court, Sindh & Balochistan	02	04

FOREIGN EXCHANGE REGULATION APPELLATE BOARD

Sr. No	Name of Court	Disposal	Pending
1.	Foreign Exchange Regulation Appellate Board, Karachi	27	05
2.	Foreign Exchange Regulation Appellate Board, Lahore	14	02

Two board have been established under Foreign Exchange Regulations Act, 1947 one each at Karachi and Lahore which are without regular Presiding Officers. Due to minimal number of cases in these Courts, the need for appointment of a regular Judge has not been felt in the past.

CUSTOMS, EXCISE & SALES TAX APPELLATE TRIBUNAL

Sr. No	Name of Court	Balance	Institution	Disposal	Balance as on
1.	Customs, Excise & Sales Tax Appellate Tribunal, B-I, Karachi	1682	1129	842	1969
2.	Customs, Excise & Sales Tax Appellate Tribunal, B-II, Karachi	1039	1104	1466	677
3.	Customs, Excise & Sales Tax Appellate Tribunal, B-I, Islamabad	121	236	263	94
4.	Customs, Excise & Sales Tax Appellate Tribunal, B-II, Islamabad	27	97	48	76
5.	Customs, Excise & Sales Tax Appellate Tribunal, Peshawar	290	696	621	365
6.	Customs Appellate Tribunal, B-III, Karachi	500	232	92	360

Special Courts Anti-Terrorism

Sr. No	Name of Court	Disposal	Pending
1.	Special Court-I, (A.T) Islamabad	25	34
2.	Special Court-II, (A.T) Islamabad	187	26

LAW AND JUSTICE COMMISSION OF PAKISTAN

LJCP's support to the Supreme Court of Pakistan in matters of public importance:

The Law and Justice Commission of Pakistan (LJCP) has actively supported the Supreme Court of Pakistan (SCP) in diverse complex and/or chronic cases. It has impartially advised and submitted reports in Hon'ble Court that examined key issues, in particular, relating to legal, regulatory, policy and organizational factors hindering the effective implementation of laws. List of cases wherein technical support is provided to the Supreme Court of Pakistan is as under:

- i. Criminal Miscellaneous Application No. 86/2014 (Report of Secretary Punjab Bar Council, Lahore) and Criminal Petition No. 240/2012. [Salamat Ali Chamma Vs. The State and others]
- ii. CMA No. 1522 of 2015 in CP 226-L/2010, etc [Manzoor Ahmed Ghauri vs. Chairman NAB, (compliance report regarding matter of M & E Framework)]
- iii. CMA No. 5464 of 2014 in CA No. 1253/2014 out of CP No. 1376 of 2014 a/w CRPs. 317/14 in CP No. 1376/2014. [Muhammad Shah Qureshi vs. Chief Administrator Auqaf Punjab]
- iv. HR Case No. 13143-p of 2014 application by Usama Khawar for taking action against hazardous emission of dust by stone crushing & marble grinding units.
- v. Criminal Petition No. 210/2015. [Muhammad Haroon-ur-Rasheed vs. The State and others, (NGOs' Case)]
- vi. CMA. P. No. 4343/2014 in Suo Moto Case No. 1/2005. [publication of Error Free Laws case]
- vii. Suo Moto Action No. 1/2006. [miserable condition of women Prisoners in jail]
- viii. HRC No. 24770-G/2011 [Suo Moto Action qua inconvenience to the passenger while handling baggage at Airport]
- ix. CMA 135/2015 Criminal Original Petition No. 46/14 [Muhammad Afzal vs. Munir Farooqi, CEO Warid Telecom Lahore and others, matter related to enforcement of minimum wages]
- x. Civil Petition No. 1282/2014, Hyder Ali vs. DPO Chakwal and etc [Suggestions for accountability of the police & improvement in the criminal justice system with respect to investigation tier]
- xi. Civil Petition No. 1420/2014 [Chief Commissioner IR, RTO, Peshawar vs. Khyber Corporation Peshawar]
- xii. HRC. 4729-P/2011, CMA No. 5373/2012, HRC No. 4923-E/2014 and HRC No. 6281-E/2015.

- xiii. CMA No. 991/2015 in CPNO. 252-Q/2010 [Commissioner of Income tax, Sukkur, etc vs. M/s Prudential Investment Bank Ltd. Quetta.
- xiv. Cr. Org. No. 711/2015, CMA No. 733/2015 in Crl. Petition No. 30/2015 [Anti-Corruption Establishment]
- xv. Cr. P. No. 449/2015 Abu Malik Naseem v. The State

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