

**Meeting With Learned Advocate General, Chairman & Members KP Bar Council and Presidents of District And Tehsil Bars Associations Held On 5<sup>TH</sup> January 2017 In The High Court Premises.**

| S.NO.   | DEMANDS  | FOLLOW UP  |
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| <b>1. <u>Mr. Muhammad Ijaz Sabi Advocate, Chairman Executive Committee, Khyber Pakhtunkhwa Bar Council, Peshawar.</u></b> |  |  |
| A.  | Specialized benches at the principal seat.   | Benches have been specified through IT base automation. The relevant case automatically goes to the said Bench.  |
| B.  | Cause list is very lengthy, may be shortened.  | <ul style="list-style-type: none"> <li>➤ At present there are over 17000 cases pendency at the principal seat. Adjustment according to pendency is being made.</li> <li>➤ Criminal Bench; no motion cases;</li> <li>➤ 40-50 cases per Bench;</li> <li>➤ One month advance cause list.</li> </ul> |
| C.  | The Advocate General may be requested to file comments in time.                                | Mr. Abdul Latif Khan Yousafzai, the Worthy Advocate General Khyber Pakhtunkhwa assured Hon'ble the Chief Justice that comments will be furnished within 15-days.   |
| D.  | In cases, where stay is granted, orders may be issued for a specific period/time.              | <ul style="list-style-type: none"> <li>➤ Stay matter cases are being given preference.</li> <li>➤ Education cases – 14 days;</li> <li>➤ Other cases – 28 days.</li> </ul>  |
| E.  | Most of the Judicial Officers use to sit in Retiring Rooms for hours.                          | Standing orders have been issued to the learned Presiding Officers vide letters No.S/H CJ-4 dated 17 <sup>th</sup> and 21 <sup>st</sup> March 2017 not to leave the Court Room during working hours.   |
| F.  | More Family Court Judges be posted at the station.   | Steps taken:<br>i) Family Courts to be located close to the entrance of judicial complex.<br>ii) Lakki Marwat setup to be replicated in all major Districts.   |
| <b>2. <u>Qazi Muhammad Arshad Khan Advocate, President, Peshawar High Court Bar Association Abbottabad Bench.</u></b>     |  |  |
| A.  | No Bar room in Circuit Bench Abbottabad. One Court room has been given to be used as Bar Room. | The ERRA funded scheme for Abbottabad Bench has been included in the ADP 2017-18. The scheme includes construction of  |

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|  |  | Bar Room. Work will commence on priority basis.   |
| B.   | The word “My Lord” may be ordered to be discontinued.  | In view of the directions of the apex Court, it is not necessary for the lawyers to use this word.  |
| <b>3. <u>Syed Abid Hussain Shah Bukhari Advocate, President, Peshawar High Court Bar Association D. I. Khan.</u></b> |  |   |
| A  | At least two Hon’ble Judges in D. I. Khan Bench be posted.   | By now two Hon’ble Judges are working in the Bench.   |
| <b>4. <u>Mr. Shah Jehan Khan Advocate, Member Khyber Pakhtunkhwa Bar Council, Mansehra.</u></b>                      |  |   |
| A  | Suggested that if there is any problem between the Bar and Bench, the same may be resolved by mutual consultation of the elected Members of the Bar and the worthy Judges. | This is being followed for every issue relating to the justice delivery system.   |
| <b>5. <u>Mr. Qamar Zaman Khan Advocate, President, Tehsil Bar Association Takht Bai (District Mardan).</u></b>       |  |   |
| A  | Some more Additional District & Sessions Judges be posted in District Mardan.  | Total sanctioned strength of ADJs is eight and presently eight ADJs are working in the District.<br><br>Three Distt: Judges are assigned to decide custody cases. |
| <b>6. <u>Mr. Hazrat Maaz Advocate, President, District Bar Association Swat.</u></b>                                 |  |   |
| A.   | Two years <i>criteria</i> for appointment of Judges of the District Judiciary is not sufficient, it may be enhanced to at least five years.                                | This criterion is based on demand of the Bar Council.   |
| B.   | If possible, newly recruited Civil Judges be given training for a month or two.  | Training of four weeks is being imparted to the newly recruited Civil Judges in the Judicial Academy. A number of batches have completed their training so far.   |
| C.   | Clerical staff of the Judiciary and lawyers be also given training.  | Judicial Academy has imparted necessary training to the clerical staff.   |
| D.   | No facilities are available for the litigants/public in the Bar rooms.   | Provision may be proposed by DSJ for inclusion in the Umbrella PC-1 for missing facilities; which is under preparation.   |
| <b>7. <u>Mr. Ijaz Muhammad Advocate, President, District Bar Association, Nowshera.</u></b>                          |  |   |
| A.   | In Nowshera Bar Room there is no separate place for female lawyers.  | Scheme for reconstruction and renovation is under implementation. The matter will be  |

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|   |  | resolved.   |
| B.  | The practice to post an officer for more than two years be discontinued.   | Posting/Transfers are being made according to the Policy.   |
| C.  | Rupees twenty five Crores have been sanctioned in the year 2010 for construction of Judicial Complex, Nowshera so enough space may be given to the Bar Room. | The matter will be resolved.  |
| <b>8. <u>Mr. Javed Khan Advocate, President, District Bar Association, Kohat.</u></b>                         |  |   |
| A   | The pecuniary jurisdiction of the District Judges may be increased from rupees one Million to five Million.  | Under the Civil Courts (Amendment) Act, 2017, pecuniary jurisdiction of the District Judge has been enhanced.   |
| <b>9. <u>Mr. Iftikhar Khan Senior Advocate, President, Peshawar High Court, Mingora Bench.</u></b>            |  |   |
| A   | The cause list may be released and displayed on the website of the High Court.   | Cause lists of all the Benches are being displayed on the official website of the High Court.   |
| <b>10. <u>Mr. Ameer Muhammad Advocate, President, District Bar Association Batagram.</u></b>                  |  |   |
| A   | The representatives of the Government Departments attending Court proceedings should not be below the rank of Grade 17 officer.                              | Orders have already been issued by the office of Advocate-General KPK to all the Govt. Departments.   |
| <b>11. <u>Mr. Saeed Khan Advocate, Member Khyber Pakhtunkhwa Bar Council from Swat.</u></b>                   |  |   |
| A   | The cases of Bahrain and Khwazakhela should be heard at District Courts Swat.  | As per request of Tehsil Bar Association, the cases of Khwaza Khela are being fixed at Behrain vide letter of DSJ Swat dated 10.07.2017 during the month of August, 2017.     |
| <b>12. <u>Mr. Akhtar Hussaian Qureshi Advocate, President, District Bar Association, D. I. Khan</u></b>       |  |   |
| A   | No parking facilities are available in the District Bar Room D. I. Khan.   | Provided.   |
| <b>13. <u>Pir Hameedullah Shah Advocate, President, Peshawar High Court Bar Association, Bannu Bench.</u></b> |  |   |
| A   | In Bannu Bench, there is pendency of 2700-cases. A second Hon'ble Judge be posted in Bannu Bench.  | By now, for one week an SB will work and for the next week DB will work in the Bannu Bench on the request of the Bar. There will be no Court work during the summer vacations |
| B   | High Court Bannu Bench is in the Cantonment area and thus they go through security checking especially the litigants.  | The road outside the Cantonment area will be widened for direct access of the lawyers and litigants to the Bannu Bench.   |
| <b>14. <u>Mr. Muhammad Ismail Advocate, President, District Bar Association, Upper Dir.</u></b>               |  |   |
| A   | There is no jail in Dir Upper and trials of Anti-Terrorism Cases are conducted in Timergara.   | Video link facility is provided, which will enable the District Court to record the statements without  |

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|  |   | moving the prisoners from jail.        |
| B  | There should be Anti-Terrorism Court at Dir Upper.            | ATC Court is functioning in Dir Lower. |
| <b>15. <u>Mr. Muhammad Sareer Advocate, Member, Khyber Pakhtunkhwa Bar Council, Charsadda.</u></b> |   |  |
| A  | Training should be given to the newly recruited Civil Judges. | Training is being given.               |

**Meeting with the Presidents of Peshawar High Court Bar And District Bar Association Held On 15.5.2017 In The Premises Of Peshawar High Court.**

**1. Mr. Mujahid Farooq, President District Bar Association, Swat.**

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| A. | That Learned Judges should be given training to decide cases under the Shara-i-Nizam-e-Adl Regulation in Swat. | The learned Judges are getting the requisite training from the Judicial Academy before posting in Swat.                                  |
| B. | There is shortage of Judges.   | There is shortage of Civil Judges and requisition has been placed with the Public Service Commission for appointment of 50 Civil Judges. |
| C. | There is delay in completion of the Judicial Complex for which funds may be released.                          | No development scheme is in the portfolio of PHC. The matter will be looked into in the future.  |
| D. | Law Text Books and Computer be provided to the Bar Room.   | This facility would be provided to every District on its own turn.   |

**2. Mr. Shamsheer Ali Khan, President, Peshawar High Court Bar Mingora, Swat.**

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| A | We would be obliged if the Hon'ble Chief Justice gives us the honour to participate in the installation Oath Taking Ceremony of PHC Bar Association, Mingora Bench. | The Hon'ble Chief Justice visited Swat in the previous month and took oath from the newly elected Cabinet of the Bar Association. |
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**3. Arbab Muhammad Usman, President Peshawar High Court Bar Association**

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| A | We need help in the establishment of Library and some other minor works in the Peshawar High Court Bar Room, Peshawar. | Repairs have been carried out. |
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**4. Mr. Zain-ul-Aabidin, President District Bar Association D.I.Khan.**

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| A | That pecuniary jurisdiction of the learned District Judges may be enhanced.   | The same has already been enhanced vide legislation. |
| B | That we in our capacity as President and General Secretary of the Bar often interact with the learned District Judge and Senior Civil Judge in connection with discussion of the Bar problems, therefore, a Standing Order may be issued that the cases of the President and General Secretary should not be fixed before the learned District Judge and Senior Civil Judge so that no bad image is set up qua the lawyers and litigants. | The Bar Council is being consulted. Letter issued.   |

**5. President District Bar Association, Tor Ghar.**

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| A | We are satisfied with the reforms going on in the Judiciary and request that preference may be | First those projects would be given preference which are in progress |
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|           | given to the construction of Judicial Complex at Tor Ghar.   | and can be completed this year.  |
| <b>6.</b> | <b><u>Mr. Jehan Bahadar, President District Bar Association, Timergara.</u></b>  |  |
| A         | Lal Qilla is about 30/35 miles away from Timergara, therefore, an ADJ may be deputed to work 2/3 days in a week as Camp Court at Lal Qilla.  | ADJ Samarbagh shall tour Lal Qila for two days in a week   |
| B         | There is no Consumer Court in the District.  | Establishment of Consumer Court in a District is the domain of Government.   |
| <b>7.</b> | <b><u>Mr. Subhan Khan, President District Bar Association, Shangla.</u></b>  |  |
| A         | There is no Judicial Lock-Up in Shangla.   | A video link facility is being installed.  |
| <b>8.</b> | <b><u>President Malakand District Bar Association at Batkhela.</u></b>   |  |
| A         | Most of the learned Judges at Batkhela are female, therefore, some male Judges be also transferred to the Station.   | Matter has been addressed  |
| B         | There is no Bar Room for the female lawyers at Batkhela.   | Will be constructed in this financial year.  |
| <b>9</b>  | <b><u>President Peshawar High Court Bannu Bench Bar Association.</u></b>   |  |
| A.        | That the Project of Judicial Complex at Bannu has gone beyond its completion date.   | The Project worth Rs.840-million with additional fund of Rs.80 million would be completed by 31 <sup>st</sup> December 2017, In Sha Allah. |
| B.        | There is no frequent Court work in the Bannu Bench; therefore, this problem requires to be solved on urgent basis.   | One permanent Judge has been given and now there would be no break in the Court work at Bannu Bench.                                       |
| C.        | Problem is faced by the lawyers and litigants for their entry into the Bannu Bench because of various Army Check Posts.  | We would provide some funds for construction of the road.  |
| D.        | Litigants shed and drinking water is not available in the Bench.   | Necessary work completed.  |
| <b>10</b> | <b><u>President District Bar Association, Karak.</u></b>   |  |
| A.        | That the lawyers and litigants while entering the Court Rooms use to silent their mobile phones but on the contrary, the Presiding Officers do not silent their mobiles and even receive calls during Court proceedings. | Directions have been issued vide letters dated 17 <sup>th</sup> and 21 <sup>st</sup> March 2017.   |

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| B.  | That the Presiding Officers do not properly observe Court hours and often leave the Court Rooms after each 15/20 minutes.                        | Directions have been issued vide above mentioned letters.  |
| <b>11 <u>Mr. Sajidullah, President District Bar Association Chitral</u></b> |  |  |
| A   | That Peshawar High Court, Chitral Bench is not functional.   | Bench would be functional for at least one week in two months.   |
| <b>12 <u>President District Bar Association, Kohat.</u></b>                 |  |  |
| A.  | For two months the Narcotics Court worked in Kohat but after transfer of the Presiding Officer, all the cases have been transferred to Peshawar. | Request forwarded to the quarter concerned.  |
| B.  | Library as promised has not yet been given to the District Courts Kohat.   | Will be given on its own turn. First priority is to be given to the farthest districts.  |
| C.  | The land acquisition process has not yet been started in Kohat.  | Matter requires to be resolved by the Bar  |
| <b>13 <u>Mr. Mohammad Ismail, President District Bar Dir Upper.</u></b>     |  |  |
| A   | That under the Nizam-e- Adl Regulation, on 120 cases a Judge is to be provided, therefore, more Judges may be given to Malakand Division.        | If the pendency crosses the limit, more Judges would be provided.  |
| <b>14 <u>Mr. Ashiq Hussain, President District Bar Lakki Marwat.</u></b>    |  |  |
| A   | That there is no Anti-Corruption/ Anti-Terrorism Court in District Lakki.  | The ATC Courts are functioning in Bannu and D.I.Khan. The subject matter relates to the jurisdiction of the Provincial Government. |
| <b>15 <u>President District Bar Association, Bannu.</u></b>                 |  |  |
| A.  | That there should be a permanent Judge in the Peshawar High Court Bannu Bench.   | Addressed.   |
| B.  | That electric cooler may be provided to the District Bar alongwith Generator.  | Provided.  |
| C.  | That a Khadim be appointed in the Mosque   | The DSJ may move a summary for the post, if not available in the establishment.  |
| <b>16 <u>General Secretary, District Bar Association, Mardan</u></b>        |  |  |
| A   | That the junior lawyers of Mardan may be given training in the Judicial Academy  | 03 lawyers from Mardan have got training in the Academy from 3 <sup>rd</sup> to 7 <sup>th</sup> July, 2017.                        |
| B   | That the KPK Bar Council should also take action against those lawyers who do not observe the  | This is for the KPK Bar Council to take action.  |

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|            | norms and ethics of advocacy.  |  |
| <b>17.</b> | <b><u>Mr. Rehman Ullah, General Secretary, Peshawar High Court Bar Association, Peshawar.</u></b>  |  |
| A.         | That old institution system may be restored.   | The old system has temporarily been restored till the deficiency of scan machines.                 |
| B.         | Views/suggestions of the Tehsil Bar Associations may also be heard.  | Meeting of the Presidents of Tehsil Bar Associations called on 08 <sup>th</sup> July 2017.         |
| C.         | That no compensation of the victims/injured in Tangi and Shabqadar bomb blast has been given.  | The lawyers should take up this issue with the Government or through a petition before this Court. |
| D.         | That in most of the judgments, the arguments as well as names of lawyers are not incorporated.   | Point taken and already conveyed to the Worthy Judges.   |
| <b>18</b>  | <b><u>President District Bar Association, Buner.</u></b>   |  |
| A.         | That there is problem of car parking for the lawyers and litigants, therefore, multi car parking may be provided adjacent to the Court premises.                     | Addressed.   |
| B.         | That because of non-availability of a Judicial Complex, the Judges resides in rented places.<br><br>That Library has not so far been provided to the District Courts | The same would be provided as per policy.  |
| <b>19</b>  | <b><u>Mr. Fazl-e-Wahid, District Bar Association, Peshawar.</u></b>  |  |
| A.         | That due to security threats to the judiciary and lawyers, a three line of defence may be set up in the Judicial Complex Peshawar                                    | The same has been set up as per security audit conducted by the law enforcement agencies.          |
| B.         | That the provision of scanner should be proportionate to the number of lawyers in each District Bar.   | The deficiency of scan machines will be addressed.   |
| C.         | That the present Bar Room has become insufficient to accommodate all the lawyers, therefore, a new bar room may be constructed.                                      | It would depend upon availability of space.  |
| D.         | That regarding health and education facilities, a writ of lawyers is pending, which may be decided at the earliest.  | It will be decided as per policy.  |
| E.         | That Water filtration plant and capsule lift may also be provided in the District Bar.   | On availability of funds, the same would be provided   |



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| <b>20 <u>Mr. Mushtaq Ahmad Khan, President Mansehra District Bar Association.</u></b> |  |   |
| A.  | That the acquisition notification for Judicial Complex has been de-notified. The earlier place selected for the Judicial Complex was good, which may be acquired.                          | Views of the new Cabinet are different. PC-1 is placed before the next meeting of the PDWP. |
| B.  | That all the Judicial Officers may be directed not to give more than 15 days for adjudication of the Bail Before Arrest applications<br>The number of advocates for training be increased. | Direction issued vide letter No. 12614-12664 dated 5 <sup>th</sup> August, 2017.            |
| C.  | Bar Club building should be constructed.   | Provision shall be made in the umbrella PC-1 for missing facilities                         |
| <b>21 <u>President District Bar Association Batagram.</u></b>                         |  |   |
| A.  | That Library and computer may be given to the Bar.   | Will be provided soon to the District Court.  |
| B.  | That litigant sheds especially for women; wash rooms and drinking water require to be provided on urgent basis.  | Funds would be allocated in the umbrella PC-1 for missing facilities.                       |
| <b>22 <u>President District Bar Association, Haripur.</u></b>                         |  |   |
| A.  | That the Judicial Complex has been completed about 25% but the work on it is very slow, which requires to be accelerated and for which funds may be released.                              | The Project is due for completion by 31 <sup>st</sup> December 2017.                        |
| B.  | As the Judicial Complex is at some distance from the main city, therefore, postal and bank facilities may be provided in it.   | Will be provided.   |
| <b>23 <u>Mr. Mohammad Arshad, President Peshawar High Court Abbottabad Bench.</u></b> |  |   |
| A.  | That there is no Bar Room.   | Scheme approved by PDWP   |
| B.  | That student cases are pending for which a time frame may be given to dispose of the same.   | Cases to be fixed within 14 days.   |
| C.  | That the Form for institution of cases has created problem, which may be made easy in the best interest of litigants.  | Matter discussed with the Members of the Bar Council and policy decision taken.             |
| D.  | That the Assistant Registrar has been made as Additional Registrar from the ministerial staff, therefore, we suggest that the Additional Registrar should be from the District Judiciary.  | It is an administrative matter relating to the High Court.                                  |

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| <b>24</b> <b><u>Mr. Mumtaz Khan, President District Bar Association, Kohistan</u></b>             |  |   |
| A.  | That we have the problem of Judicial Complex and Bar Room. Acquisition for construction of Judicial Complex has been done; therefore, work on it may be started.                       | The same would be included in future plan. However, funds would be provided in umbrella PC-1 for missing facilities and M&R budget for improving the existing infrastructure. |
| B.  | That no Consumer Court is established in the District Kohistan.  | The subject matter relates to Provincial Government.  |
| <b>25</b> <b><u>Malik Danial, President District Bar Association, Swabi.</u></b>                  |  |   |
| A   | That there is need of one more ADJ in Swabi.   | At present there are five ADJs working besides the District and Sessions Judge at Swabi.  |
| B   | That the Law books have not yet been provided to the Library of the District Courts.   | Will be provided as per policy.   |
| <b>26</b> <b><u>President Tehsil Bar Association, Ghazi.</u></b>                                  |  |   |
| A.  | That no accommodation is provided to the Judges in Ghazi.  | The DSJ may propose the scheme under Umbrella PC-1 for missing facilities.  |
| B.  | That no Bar Room has been provided in the Judicial Complex.  | Bar Room is available and funds have been provided under M&R for alteration.  |
| C.  | No Library is available in the District Courts.  | Library will be given as per policy, stated above.  |
| <b>27</b> <b><u>Representative on behalf of President District Bar Association, Nowshera.</u></b> |  |   |
| A.  | That in the Judicial Complex Nowshera, the seating arrangements of lawyers is less.  | In progress with consultation of the elected Bar representatives.   |
| B.  | That some more land requires to be acquired  | In progress with consultation of the elected Bar representatives  |
| <b>28</b> <b><u>Mr. Afsar Khan, District Bar Association, Hangu.</u></b>                          |  |   |
| A.  | Although the Judicial Complex is under construction at Hangu but adjacent to that is some Government land for acquisition of which summary is pending in the office of Chief Secretary | The proposal of additional land was taken up with Government twice but was not positively viewed.   |
| B.  | That there is shortage of Civil Judges in the District Hangu.  | We are short of civil Judges and requisition has been placed before the Public Service Commission for   |

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|           |   | appointment of Civil Judges.  |
| <b>29</b> | <b><u>Mr. Sajidullah, President District Bar Association, Chitral.</u></b>  |   |
| A         | That the Bar Room Hall in the District Chitral is in dilapidated condition where the Judicial Record and that of the Administration both are lying in an unsafe manner.           | The matter discussed during visit to Chitral. Funds may be proposed by DSJ under M&R.   |
| <b>30</b> | <b><u>General Secretary, District Bar Association, Swabi.</u></b>   |   |
| A         | That the judiciary in Swabi and the District administration both are located in the Judicial Complex without any partition, which may be partitioned for the purpose of security  | Construction of Boundary wall is under consideration in the umbrella PC-1 for missing facilities. The boundary wall will also resolve the problem of car parking. |
| B         | That no proper car parking is available in the Judicial Complex. Adjacent to it there is a vacant ground of the Provincial Government, which may be acquired for the purpose.     |   |
| <b>31</b> | <b><u>Mr. Noor Alam Khan, Member KPK Bar Council.</u></b>   |   |
| A.        | That the Federal Courts are in Hayatabad, which can be shifted to the Judicial Complex at Peshawar for the convenience of litigant/public.  | The same would be done if space is available in the District Courts.  |
| B.        | If there are two Judges in the Federal Courts, then one of the Judges can be sent to those Districts on rotation basis where such Courts are not available.                       | The Bar should approach the Federal Court for the purpose.  |
| <b>32</b> | <b><u>Mr. Sareer Khan, Vice Chairman, KPK Bar Council.</u></b>  |   |
| A.        | Requested that wherever there is a Judicial Complex, there should be sufficient space for the Bar Rooms.  | Sufficient space would be provided for the Bar Rooms in future projects. Judicial Complex Swabi will be Model.  |
| B.        | That we have passed a Resolution that priority should be given to the construction of Judicial Complexes to those Districts where the Courts are functioning in rented buildings. | The projects already in progress would be completed this year and new projects would be started in the next year.   |
| C.        | That a Bench of the High Court may also be established in Kohat.  | The concerned authority be approached.  |
| D.        | That in Mingora, there is no Judicial Lock-Up and the prisoners are brought from Timergara, which consumes much time.   | Video link facility is provided for recording the statements of accused from jail.  |
| E.        | That Dar-ul-Qaza and the District Bar Association Mingora are at some distance from each others,  | Matter relates to the Govt.   |

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|    | which may be given a place near Dar-ul-Qaza   |  |
| F. | That if a Statue has provided a special period for the disposal of cases, then the same should be observed strictly and the case be decided within that time. | Under consideration  |
| G. | The KPK Bar Council would strictly deal with those lawyers, who violate the Rules of the Council.   | This is for the KPK Bar Council to take action.                                    |
| H. | Suggested that institution of cases may also be allowed on Tehsil Bar level.  | Will be considered according to law  |
| I. | Car Parking space may be provided in all the Judicial Complexes.  | Will be provided.  |
| J. | Security measures may also be taken into consideration.   | Security audits are being conducted and proper security measures would be adopted. |
| K. | That the members of KPK Bar Council may also be given place in the Liaison Committees on District levels.   | Will be favorably considered.  |

**Meeting with the Presidents of the Tehsil Bar Associations held on 8<sup>th</sup> July, 2017 in the premises of the High Court, Peshawar.**

**1 Mr. Muhammad Haleem, Representative Matta Bar Association.**

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| A. | In my 35 years practice, this is for the first time that such a meeting of the Tehsil Bar Associations Presidents has been called by Hon'ble the Chief Justice for which I am very much thankful. | The aim behind this gathering is that the High Court should know the problems faced by the lawyers at Tehsil level. We would try to resolve their problems within our budgetary resources. |
| B. | The only problem of Matta Bar is the non-availability of a Judicial Complex.  | Funds for acquisition of land have been provided. After land acquisition construction work will be planned.  |

**2 Mr. Qamar Zaman, President Takht-bhai Tehsil Bar Association.**

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| A. | There are 3500 cases in our Tehsil and one of the Judges was transferred on promotion for which we requested the Chief Justice and we are thankful that his lordship provided the Judge within three days. | The D&SJ may look into this aspect internally. |
| B. | Requested that like the District and Sessions Judges in the Districts, the Additional District and Sessions Judges at Tehsil levels may also be given powers to solve our petty problems.                  |  |
| C. | One Family Judge is required as the Court Room of Civil Judge-IV is vacant.  | The D&SJ may look into this aspect internally. |

**3 Mr. Bashir Mohammad, President Dargai Tehsil Bar Association.**

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| A. | About 10 kanals of land was acquired for the Judicial Complex which has now been reduced to only 04 kanals and we request that work should be started at least on this piece of land. There is shortage of a Civil Judge and that one Judge should be given powers of succession and guardianship cases. | Work on the Judicial Complex would be started this year In Sha Allah. |
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**4 Mr. Abdul Kabir, President Chakesar Shangla Tehsil Bar Association.**

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| A | The construction of Judicial Complex is necessary as the judiciary is working in an old building of revenue department with only one room and | I would visit Shangla very soon and the problems would be discussed there. At present, I |
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|          | without any residence for the Judge.  | would offer no comments on it.  |
| <b>5</b> | <b><u>President Booni Tehsil Bar Association, Chitral.</u></b>  |   |
| A        | In cases where the Government is a party are heard at District Headquarter level and the people face problems for attending the Courts as Chitral and Mastuj Sub Division, so I request for transfer of these cases to Booni. The Camp Court of Senior Civil Judge is also necessary. | I would come to Chitral and would discuss the matter with the District and Sessions Judge<br><br>Booni would be made a Model Tehsil and we would start this from Booni first.                     |
| <b>6</b> | <b><u>Mr. Shahadat Mir, President Tall Tehsil Bar Association, Hangu.</u></b>   |   |
| A.       | In September 2004, Civil Judge-cum-Judicial Magistrate was given to Tehsil Tall but still the criminal cases of Police Station Doaba which is part of Tehsil Thall, are being heard in Hangu.   | I would first talk with the District and Sessions Judge and thereafter proper decision would be taken on this issue.  |
| B.       | We have given 25 kanals of land free of cost for the Judicial Complex.  | The District Bar was requested to assist in identifying alternate feasible land.  |
| C.       | There is no Naib Nazir in the Tehsil.   | The services of Naib Nazir provided vide an internal order of the learned D&SJ.   |
| D.       | The cases of the Tehsil against NADRA may be heard at Tehsil H.Q  | Policy matter   |
| <b>7</b> | <b><u>Mr. Alamzeb Tano, President Ogi Tehsil Bar Association (Torghar).</u></b>   |   |
| A        | After your honor's visit to Ogi, most of our problems have been solved. However, the Bar Room and Judicial Complex problems are still there.  | Camp Court at Tehsil Kandar has been approved. Construction of Judicial Complex at Judbah has been taken up with the Provincial Government under the development package for Tor Ghar (Phase-II). |
| <b>8</b> | <b><u>Mr. Ayub Khan Jadoon, President Tehsil Bar Association Havelian.</u></b>  |   |
| A        | There is no Additional District and Sessions Judge in Havelian despite high number of pendency.   | Till 1 <sup>st</sup> September 2017, Additional District and Sessions Judge would be posted in Havelian.  |
| B        | We have also the problem of Judicial Complex  | Work on the Complex has started.  |

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| <b>9</b> <u><b>President Takht-e-Nasrati Tehsil Bar Association.</b></u>                   |   |  |
| A  | I am thankful to the Hon'ble Chief Justice for the facilities provided and at present we have no issue to raise.                            | Banda Daud Shah would soon be a Model Tehsil.  |
| <b>10</b> <u><b>President Tehsil Bar Association Banda Daud Shah.</b></u>                  |   |  |
| A  | I am thankful to the Hon'ble Chief Justice for the facilities provided and at present we have no issue to raise.                            | Banda Daud Shah would soon be a Model Tehsil.  |
| <b>11</b> <u><b>President Tehsil Bar Association Puran (Shangla).</b></u>                  |   |  |
| A.   | The Court rooms are in a rented place. We have suggested a place for Judicial Complex, which may be acquired.                               | After the visit of Buner, I would come to Shangla and the date would be communicated to the Bar.   |
| B.   | There is no ADJ, which may be given on permanent basis because due to snowfall litigants cannot go to Shangla.                              | As per our record, there is no need for posting of an ADJ in the Tehsil, anyhow, I would discuss this issue during my visit to Shangla.  |
| C.   | Attested copies of the judgments may be given in the Tehsil, as the lawyers and litigants get the same from the District Court Record Room. | Issuance of certified copies at the Tehsil Headquarters has already been allowed. However, Orders No. 12563-12613/Admn dated 5 <sup>th</sup> August 2017 issued that file of decided case shall be retained in the Tehsil for 30 days and during this period; copies would be provided to the litigants there. |
| <b>12</b> <u><b>Mr. Dost Muhammad, President Chakdara Tehsil Bar Association, Dir.</b></u> |   |  |
| A.   | Judicial Complex at Chakdara be expedited. Cases of Government and NADRA etc may be heard at Sub-Divisional level                           | First we would complete those projects which are in progress and can be completed this year.   |
| B.   | Consumer Court be established in the Tehsil for deciding petty matters  | The subject matter relates to the jurisdiction of the Provincial Government.   |
| C.   | Library may be upgraded with online facility.   | The Library would be given in due course of time.  |
| <b>13</b> <u><b>President Samar Bagh Tehsil Bar Association, Dir Lower.</b></u>            |   |  |
| A.   | Land may be purchased for Judicial Complex and Judicial Colony in Samar Bagh.   | First of all the Civil Judges and  |

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| B. | Cases against Government Departments are being heard at District Headquarter despite availability of Civil Judge in Samar Bagh. | security problems would be resolved on urgent basis                            |
| C. | Out of two Civil Judges one has been promoted and the post is still vacant. Pendency is increasing day by day.                  | Due to shortage of Civil Judges, the request cannot be acceded to, at present. |
| D. | No litigant shed, wash room, drinking water etc. and proper security in this Tehsil.  | Shall be provided in this fiscal year.   |

**14 President Tehsil Bar Association, Shabqadar, Charsadda.**

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| A. | <p>After your honor's visit to Shabqadar, most of our problems have been solved and the Judicial work is running smoothly.</p> <p>Land for Judicial Complex has been acquired but in the proposed plans there has not been shown any place for a Bar Room, so the map may be revised because after the bomb blasts the Bar Room has been shifted to a rented building.</p> | The Scheme is at Design stage. The matter will proceed in consultation with the elected Bar Representative. |
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**15 Mr. Azimullah Khan, President Tehsil Bar Association, Katlang.**

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| A. | We need an ADJ as there is pendency of about 300 cases for which either a permanent ADJ may be posted or the days of visits of the ADJ to the Tehsil be increased. | In our record, there is no pendency, however, we would check it out and if the pendency is such, as stated, then the request would be considered and a District Judge would be assigned to deal with the said cases.     |
| B. | The cases wherein the Government Departments are not a direct party may be ordered to be heard in the Tehsil instead of District.                                  | The Senior Civil Judges would be asked that while entertaining the suits they may see whether the Government is an essential party or proforma in the matter and whether direct remedy is against the Government or not? |
| C. | We are also in need of a Library.  | Library would be given to the District Court as per policy, which would be under supervision of a youngest lawyer from the Bar and the youngest Civil Judge posted there.  |



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| <b>16 <u>Haji Muhammad Ibrahim, President Tangi Tehsil Bar Association</u></b>      |  |  |
| A.  | We have the problems of Judicial Complex, Copying Branch, Library and a permanent attendant for the Bar Room as we have no money to hire the services of an attendant. Police Station Umarzai lies in Tehsil Tangi but its cases are heard at District Headquarter | <ul style="list-style-type: none"> <li>➤ Tangi shall be a Model Tehsil.</li> <li>➤ Summary has been moved for the acquisition of 80 kanals of state land for the Judicial Complex.</li> </ul>                                |
| B.  | Attested copies.   | Order dated 5 <sup>th</sup> August, 2017 issued to ensure that the file of decided cases shall remain in the Tehsil for 30 days and copies would be provided there to the litigants.   |
| C.  | Library  | Library would also be provided. The issue of jurisdiction of Police Stations Umarzai to the Judicial Magistrate at Tangi would be looked by the learned Sessions Judge Charadda  |
| <b>17 <u>Mr. Muhammad Haroon, Tehsil Bar Association Wari, Dir Upper.</u></b>       |  |  |
| A.  | We have no Judicial Complex and no sub-jail in the Tehsil.   | <p>Like Booni and Behrain, Wari would also be made as a Model Tehsil with all necessary facilities.</p> <p>Video link facility is provided so that statements could be recorded from jail without moving the prisoners</p>   |
| B.  | Acquisition of Land for Tehsil Judicial Complex Wari   | Rs. 1 ½ crore have been given for the 13 kanals of acquired land. The recent sketch is for 39 kanals. If the District Judge agrees, we will acquire 39 kanals of land but at present funds for 13 kanals have been approved. |
| <b>18 <u>Mr. Fazl-e-Ravi Daudzai, President Sub-Divisional Bar Kabal, Swat.</u></b> |  |  |
| A   | The Judicial Complex is being constructed under the US Aid Programme. We tackled the matter of land with the Government but the same was allowed as a Project. It should be declared as  | The matter would be taken up with Provincial Government.   |

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|           | State land for the Judicial Complex, so that in future no problem is created. The District Judge is giving his full support to us.  |   |
| <b>19</b> | <b><u>Mr. Islam-ud-Din, Vice President, Drosh Bar Association, District Chitral.</u></b>  |   |
| A         | The former Chief Justice had promised to construct a Judicial Complex which has not yet been made; however, our request is that at present a Court Room, wash room, library and a walk through gate for security purposes be given to the Tehsil Court/Bar Room.  | The Library, Generator, Scan and photo stat machines would be provided on priority basis. Rest of the issues would be discussed during my visit to Chitral.   |
| <b>20</b> | <b><u>Mr. Aurangzeb, President Tehsil Bar Association, Behrain</u></b>  |   |
| A         | Although most of our problems have been solved but the construction of judicial complex is a common problem. Besides, there are 156 cases in the Tehsil but the ADJ also goes to Khwaza Khela for Camp Court, therefore, the ADJ be given to Behrain on permanent basis. The consumer Court should also visit for one day in a week. Appointments should be made purely on merits.    | <ul style="list-style-type: none"> <li>➤ Behrain would also be made as Model Tehsil with all the facilities such as sheds and toilets for female, library, scan machine, solar system etc.</li> <li>➤ The matter of appointments will be discussed with the District Judge</li> </ul>                                       |
| <b>21</b> | <b><u>President Tehsil Bar Association Khwaza Khela.</u></b>  |   |
| A         | Papers for construction of Judicial Complex are complete; so the same requires to be expedited. Despite sufficient numbers of cases, the ADJ works for 15 days in a month as Court Camp. Security problem is also there. Like Liaison Committees on District level, it should be on Tehsil level also. We also face the problems of electricity, litigants shed and drinking water    | <p>An amount of Rs. 2 ½ crores has been given for the acquisition of land for Judicial Complex.</p> <p>The facility of solar system, litigants shed, female toilets and water would be provided soon under UNDP Project.</p> <p>Rest of the issues would also be considered after consultation with the District Judge.</p> |
| <b>22</b> | <b><u>Mr. Shehzad, Chota Lahor, Swabi.</u></b>  |   |
| A         | There are only 02 Court Rooms, one for the ADJ and one for the Civil Judge. Another ADJ and a Family Judge be posted because of the huge pendency. There are 938 criminal and 107 civil cases pertaining to three Police Stations. The criminal work should be distributed amongst three Magistrates and that in future we may be placed on priority for construction of the Judicial | Indeed pendency of the cases is alarming and distribution of the cases is required for which the issue would be discussed with the District Judge.  |

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|           | Complex.   |  |
| <b>23</b> | <b><u>Mr. Asad Iftikhar, Tehsil Bar Association Ghazi.</u></b>   |  |
| A         | The building of judiciary is there but there is no building for the Bar Room. We met with the District Judge who visited the Tehsil and requested him for a Room for the Bar Room but the same has not yet been allocated. The library is also not there.  | A Room for the Bar Room would be provided soon. In every Complex, there would be a Bar Room.   |
| <b>24</b> | <b><u>Mr. Amjad Ali, President Tehsil Bar Association Khado Khel at Totalai, District Buner.</u></b>   |  |
| A         | I am coming to Buner in the next week and we would discuss your problems there.  |  |
| <b>25</b> | <b><u>Mr. Lateefullah Khan, President Tehsil Bar Association, Paharpur, D.I.Khan.</u></b>  |  |
| A.        | We are thankful to the Chief Justice for his visit to Paharpur. After promotion of the Civil Judge, the post is vacant. Under Section 491 PPC, institution of cases can be done with the ADJ.  | A Civil Judge/Judicial Magistrate will be posted there. The Additional Sessions Judges would be authorized to entertain and dispose of applications u/s 491 Cr.P.C. Notification will be issued. |
| <b>26</b> | <b><u>Mr. Haq Nawaz, Member KPK Bar Council from Shangla</u></b>   |  |
| A         | We face multiple problems and are waiting for the visit of his lordship to Shangla.  | After the visit of Buner and Chitral, I would come to Shangla.   |
| <b>27</b> | <b><u>Member KPK Bar Council from Bannu.</u></b>   |  |
| A.        | For the information of learned Presidents of the Tehsil I would like to explain the procedure of getting financial fund for the Bar Rooms, which is given by the Federal Government. The said procedure is in the knowledge of the District Presidents of the Bars. Nomination of lawyers for training in the Judicial Academy should also be made at Tehsil level also. | The next lot would be from Tehsils.  |

Record Note Of The Meeting With Presidents/General Secretaries Of The Peshawar High Court Bar Associations, Presidents Of The District Bars Of Chitral, Kohat, Mardan And Additional Registrars Regarding The Proposed Automation System For Case Management Held On 22.7.2017 In The Conference Room Of Peshawar High Court, Peshawar.

The Hon'ble Chief Justice on 22<sup>nd</sup> July 2017 called a meeting of the Presidents/General Secretaries of the High Court Bar Associations, District Bar Associations, Mardan, Kohat and Chitral alongwith the Additional Registrars of the Circuit Benches for introducing them with the proposed automation system and presentation to be given by the Additional Registrar (Judicial) in this regard.

The Hon'ble Chief Justice presided over the meeting. The Worthy Registrar prayed welcome address to the participants; where after the Additional Registrar (Judicial) introduced the proposed new system through computer chart to the participants. The salient features of the new system are:-

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| A. | A Proforma named “ <b>Advocates Details</b> ” will be provided to the lawyers wherein they would provide their Bar Council, District Court, High Court and Supreme Court licence number along with their phone numbers and email addresses. On the basis of this information, a specific code would be allotted to the lawyer. <u>This would be a one-time requirement.</u> |
| B. | In the opening sheet, the learned Advocates would mark the category of the case as to whether the case is to be heard by a Division or Single Bench. Giving correct category code in the opening sheet enable the system to fix date of hearing and mark the case to the concerned bench automatically.   |
| C. | All cases will be filed on one plus one copy instead of one plus four copies as in the past.  |
| D. | The learned advocate while filing the case would provide the same along with annexures either in the USB or through email. In case, the lawyers do not provide the file in soft form, it would be scanned by the office. However, the party will have to wait for fixation till scanning. The office would then provide its scanned copies to all concerned.                |
| E. | Scan machines for the purpose would be installed in the High Court premises and Districts of Registries.  |
| F. | After scrutiny of the case, if there is some objection by the office, the learned Advocate would be informed through SMS/email.   |
| G. | The automatic fixation of dates of hearing and marking of cases to benches would finish discretion of the office and would ensure transparency in the system. So far as the Circuit Benches are concerned, the Administrative Senior Judge and the Presidents of the High Court Bar Associations may formulate their own policy.  |
| H. | There should be 20 Motion cases and 20 Notice cases before a Bench, keeping a margin of further 10 cases in <b>motion for urgent nature cases.</b>  |
| I. | <b>Court timings should be from 9.00 a.m. to 2.30 p.m. at the Principal Seat. However, if an advocate wants that his case should be heard even after 2.30 p.m. the same would be heard and the remaining cases would be left over.</b>  |

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| J. | The Circuit Benches would determine its own timings.  |
| K. | The proposed monthly cause-list would be issued.  |
| L. | In the event of adjournment without any sufficient cause, the stay granted would be vacated   |
| M. | Fresh Service cases be fixed within seven days and detention cases will be fixed within 24 hours.   |
| N. | Copies of the order sheets would be provided to the Advocates on their email addresses without submitting any application.  |
| O. | Attested copies of stay and bail orders will be provided within 24 hours.   |
| P. | In cases of release from jail, wherein certified copies are issued to the parties for production before the District Courts, said Courts would also be provided the said orders through E-mail. Similarly, if possible, the Jail Superintendents would be also e-mailed the orders. |
| Q. | The participants were asked to submit their suggestions on this new system including ticket fee and endorsement of Wakalat Nama by the Bar Association.   |