



SENATE SECRETARIAT

Report No. 58

REPORT OF THE SENATE STANDING COMMITTEE ON LAW AND JUSTICE



“THE LAW AND JUSTICE COMMISSION OF PAKISTAN (AMENDMENT) BILL, 2017”

PRESENTED BY

**Senator Muhammad Javed Abbasi
Chairman
Standing Committee on Law and Justice**

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON "THE LAW AND JUSTICE COMMISSION OF PAKISTAN (AMENDMENT) BILL, 2017"

I, Chairman of the Standing Committee on Law and Justice, have the honour to present report on "The Law and Justice Commission of Pakistan (Amendment) Bill, 2017" introduced by Minister for Law and Justice, on 24th November, 2017. The Bill, upon introduction, was referred to the Standing Committee for consideration and report.

2. The composition of the Standing Committee on Law and Justice is as under:-

1.	Senator Muhammad Javed Abbasi	Chairman
2.	Senator Aitzaz Ahsan	Member
3.	Senator Saleem Zia	Member
4.	Senator Farooq Hamid Naek	Member
5.	Senator Syed Muzafar Hussain Shah	Member
6.	Senator Nehal Hashmi	Member
7.	Senator Ms. Ayesha Raza Farooq	Member
8.	Senator Nawabzada Saifullah Magsi	Member
9.	Senator Dr. Muhammad Ali Khan Saif	Member
10.	Senator Mrs. Zahida Khan	Member
11.	Senator Syed Asif Saeed Kirmani	Member
12.	Senator Barrister Murtaza Wahab	Member
13.	Minister for Law and Justice	Ex-Officio Member

3. The Committee considered the Bill in its meetings held on 18th December, 2017 and 9th January, 2018, under the Chairmanship of Senator Muhammad Javed Abbasi. Final consideration of the Bill was held in the meeting dated 9th January, 2018, which was attended by the following members:-

- i. **Senator Muhammad Javed Abbasi**
- ii. Senator Nehal Hashmi
- iii. Senator Mrs. Zahida Khan
- iv. Senator Barrister Murtaza Wahab

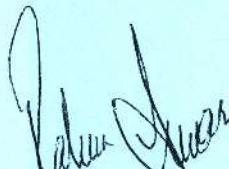
4. The Ministry of Law and Justice briefed the Committee that "Presently the High Courts of four Provinces get share from the profit/ actual income accrued through investment of endowment grant under clause (a) of sub-section (2) of section 6-A of the Law and Justice Commission of Pakistan Ordinance, 1979 (XIV of 1979). Islamabad High Court was later established, therefore, it is necessary to amend Ordinance of 1979 to include Islamabad High Court in it in order to enable it to get share for improving the capacity and performance of subordinate courts in Islamabad Capital Territory."

5. The Secretary, Law and Justice further briefed the Committee that disbursement of funds to other High Courts have been stopped for the last three years due to anticipated inclusion of Islamabad High Court for allocation of funds. The Committee desired that a detailed briefing be provided on Status of Access to Justice Development Fund alongwith the balance sheet and its utilization, Investments made and what will be effect of stoppage of funds of High Courts for three years without proposing retrospective effect to the proposed amendment.

6. Secretary Law and Justice Commission of Pakistan gave a detailed briefing on the Fund and matters connected with and ancillary thereto in the meeting dated 9th January, 2018. The committee showed satisfaction on the affairs of the Fund and desired that more share should be allocated for provision of legal aid to poor litigants especially those who are imprisoned.

7. All Members present supported the amendment and voted in favour of the Bill.

8. Accordingly, the Committee recommends that "The Law and Justice Commission of Pakistan (Amendment) Bill, 2017", as passed by the National Assembly and introduced in the Senate, may be passed by the Senate of Pakistan. (Copy of Bill as passed by the National Assembly and introduced in the Senate is annexed).


(RABEEA ANWAR)
J.S / Secretary Committee


(SENATOR MUHAMMAD JAVED ABBASI)
Chairman

AS REPORTED BY THE STANDING COMMITTEE

A
Bill

*further to amend the Law and Justice Commission of Pakistan Ordinance,
1979*

WHEREAS it is expedient further to amend the Law and Justice Commission of Pakistan Ordinance, 1979 (XIV of 1979) for the purpose hereinafter appearing;

It is hereby enacted as follows:—

1. **Short title and commencement.**— (1) This Act may be called the Law and Justice Commission of Pakistan (Amendment) Act, 2017.

(2) It shall come into force at once.

2. **Amendment of section 6B, Ordinance XIV of 1979.**— In the Law and Justice Commission of Pakistan Ordinance, 1979 (XIV of 1979), in section 6B, in clause (a), —

- (a) after the word "provinces", the words "and Islamabad Capital Territory" shall be inserted;
- (b) the word "Provincial" shall be omitted; and
- (c) for the expression "Courts(s)", the word "Courts" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

In order to allocate share from the profit/actual income generated by investment of endowment grant under clause (a) of sub-section 2 of section 6-A of the Law and Justice Commission of Pakistan Ordinance, 1979 (XIV of 1979) to the Islamabad High Court for infrastructure development of the District Courts within the Islamabad Capital Territory, the Law and Justice Commission of Pakistan Ordinance, 1979 (XIV of 1979) requires amendment of clause (a) of section 6-B.

2. The Bill seeks to achieve the aforesaid object.

MR. ZABID HAMID,
Minister for Law and Justice
Minister-in-Charge