



SENATE SECRETARIAT

Report No. 06

REPORT OF THE SENATE STANDING COMMITTEE ON LAW AND JUSTICE



“THE SUPREME COURT (NUMBER OF JUDGES) (AMENDMENT) BILL, 2024”

PRESENTED BY

Senator Farooq Hamid Naek
Chairman
Standing Committee on Law and Justice

SENATE SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON "THE SUPREME COURT (NUMBER OF JUDGES) (AMENDMENT) BILL, 2024"

I, Chairman of the Standing Committee on Law and Justice, have the honour to present report on "The Supreme Court (Number of Judges) (Amendment) Bill, 2024" introduced by Senator Mohammad Abdul Qadir, in the Senate sitting held on 2nd September, 2024. The Bill, upon introduction, was referred to the Standing Committee for consideration and report.

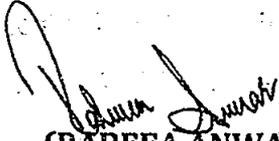
2. The composition of the Standing Committee on Law and Justice is as under:-

1.	Senator Farooq Hamid Naek	Chairman
2.	Senator Syed Ali Zafar	Member
3.	Senator Anusha Rahman Ahmad Khan	Member
4.	Senator Shahadat Awan	Member
5.	Senator Ejaz Ahmad Chaudhary	Member
6.	Senator Kamran Murtaza	Member
7.	Senator Khalil Tahir	Member
8.	Senator Mohammad Abdul Qadir	Member
9.	Senator Zamir Hussain Ghumro	Member
10.	Senator Hamid Khan	Member
11.	Minister for Law and Justice	Ex-officio Member

3. The instant Bill seeks to amend section 2 of the Supreme Court (Number of Judges) Act, 1997, to increase the number of judges in the Supreme Court of Pakistan to twenty-one. However, with the passage of the Government Bill titled "The Supreme Court (Number of Judges) (Amendment) Bill, 2024" on 4th November 2024, Parliament has already amended Section 2 of the 1997 Act, raising the number of judges to thirty-three (33). Consequently, the proposed Bill is rendered infructuous.



4. In view of the position explained at para 3, the "The Supreme Court (Number of Judges) (Amendment) Bill, 2024" as introduced in the Senate, may be treated as infructuous.



(RABEEA ANWAR)
A.S / Secretary Committee



(SENATOR FAROOQ HAMID NAEK)
Chairman

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[TO BE INTRODUCED IN THE SENATE]

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to further to amend the Supreme Court (Number of Judges) Act, 1997

WHEREAS it is expedient further to amend the Supreme Court (Number of Judges) Act, 1997 (XXXIII of 1997) for the purposes and in the manner hereinafter appearing;

It is hereby enacted as follows:—

1. Short title and commencement.— (1) This Act shall be called the Supreme Court (Number of Judges) (Amendment) Act, 2024.

(2) It shall come into force at once.

2. Substitution of section 2, Act XXXIII of 1997.— In the Supreme Court (Number of Judges) Act, 1997 (XXXIII of 1997), for section 2, the following shall be substituted, namely:—

"2. Maximum Number of Supreme Court Judges other than Chief Justice.— The number of Judges of the Supreme Court of Pakistan other than the Chief Justice shall be twenty."

STATEMENT OF OBJECTS AND REASONS

It is necessary to enhance number of judges in the Supreme Court of Pakistan from seventeen to twenty-one to address the rising number of pending cases. The Supreme Court has four jurisdictions original, appellate, advisory, and review being diverse and demanding, contributing to the continuous accumulation of cases. With economic growth and social changes, the complexity and variety of cases have increased. This backlog, combined with the complexities of integrating the Federally Administered Tribal Areas (FATA) into Khyber Pakhtunkhwa, necessitates more judicial resources.

2. Increasing the number of judges can improve access to justice for citizens by reducing wait times for hearings and decisions, ensuring that justice is not only done but seen to be done promptly. A higher number of judges can improve the overall efficiency of the judiciary, allowing for better distribution of cases and more thorough consideration of complex legal issues. Legal and constitutional changes often require more judicial oversight and interpretation. Additional judges can manage the increased workload that comes with significant legal reforms. Many countries with similar or smaller populations have a higher number of Supreme Court judges. Aligning with international standards can help improve the judiciary's performance and perception globally.

3. By addressing these reasons, increasing the number of judges in the Supreme Court can enhance the overall effectiveness, fairness, and accessibility of the judicial system in Pakistan.

4. This Bill is designed to achieve the aforesaid objectives.

SENATOR MOHAMMAD ABDUL QADIR
MEMBER IN CHARGE