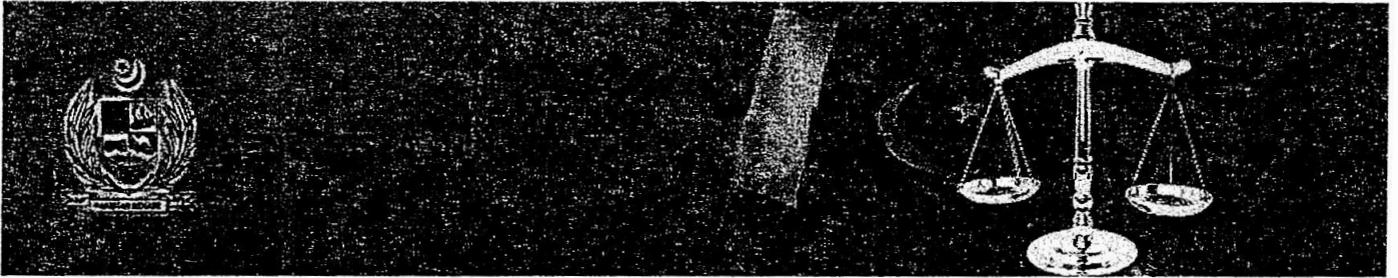




**SENATE SECRETARIAT**

**Report No. 13**

**REPORT OF THE  
SENATE STANDING COMMITTEE ON LAW AND JUSTICE**



**“THE LEGAL PRACTITIONERS AND BAR COUNCILS  
(AMENDMENT) BILL, 2025”**

**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 LEGAL PRACTITIONERS AND BAR COUNCILS (AMENDMENT) BILL, 2025"

I, Chairman of the Standing Committee on Law and Justice, have the honour to present report on "The Legal Practitioners and Bar Councils (Amendment) Bill, 2025" introduced by Senator Khalil Tahir in the Senate sitting held on 19<sup>th</sup> June, 2025. 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.	<b>Senator Farooq Hamid Naek</b>	<b>Chairman</b>
2.	Senator Syed Ali Zafar	Member
3.	Senator Ahad Khan Cheema	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 Committee considered the Bill in its meeting held on 17<sup>th</sup> July, 2025, under the Chairmanship of Senator Farooq Hamid Naek, which was attended by the following hon'ble Members:-

1.	<b>Senator Farooq Hamid Naek</b>	<b>Chairman</b>
2.	Senator Syed Ali Zafar	Member
3.	Senator Ahad Khan Cheema	Member
4.	Senator Shahadat Awan	Member
5.	Senator Khalil Tahir	Member
6.	Senator Mohammad Abdul Qadir	Member
7.	Senator Zamir Hussain Ghumro	Member
8.	Minister for Law and Justice	Ex-officio Member



4. The representatives of the Pakistan Bar Council, Provincial Bar Councils, and Islamabad Bar Council, being the primary stakeholders, were invited to the meeting and actively participated in the proceedings.

5. The Member-in-Charge briefed the Committee on the objectives of the Bill. He emphasized that Bar Councils play a pivotal role in safeguarding constitutional supremacy, upholding the rule of law, and ensuring the independence of the judiciary. Therefore, it is imperative to establish a robust and transparent framework governing the eligibility and conduct of office bearers of Bar Councils. The proposed amendments are aimed at ensuring that candidates possess the requisite experience and competence to effectively discharge their responsibilities. Additionally, the Bill provides for representation of the newly-merged districts into the Province of Khyber Pakhtunkhwa, as delineated in the schedule framed under sub-section (2)(b) of Section 5 of the Act.

6. The Minister for Law and Justice expressed his support for the Bill. He referred to the Committee's earlier meeting held on 19th May, 2025, during which representatives of the Bar Councils had presented proposals for creating a more transparent and effective mechanism for the election and functioning of Bar Council office holders. He apprised the Committee that the instant Bill reflects those proposals, which were approved by the Inter-Provincial Coordination Committee comprising the Pakistan Bar Council, Provincial Bar Councils, and Islamabad Bar Council.

7. The Committee then undertook clause-by-clause consideration of the Bill. The Chairman of the Committee read out each clause and invited observations from Members and stakeholders. During the discussion on clause 2, particularly the proposed Section 5A, the following key points were raised:

Paragraph (a)



Senator Shahadat Awan noted that the proposed requirement of ten years of enrollment on the High Court roll should be brought in line with the existing requirement for enrollment in the Supreme Court, which is seven years. He also remarked that introducing such a change during an election year might disrupt the ongoing electoral process. Senator Zamir Hussain Ghumro supported the proposed ten-year requirement, arguing that it was consistent with the significance of the position. Senator Syed Ali Zafar endorsed the spirit of the Bill but questioned the urgency of increasing the requirement from five to ten years during an election year, particularly when several candidates have already filed nominations. He proposed that the provision be made applicable from the next term. He also supported the suggestion to align the requirement with the Supreme Court's seven-year criterion, stressing the importance of a harmonized and fair framework that does not unnecessarily penalize eligible candidates. Senator Ahad Cheema noted that Bar Councils, like other regulatory bodies, are self-governing institutions where such experience thresholds are common. He supported a longer experience requirement. Senator Abdul Qadir supported the clause in its present form.

The Minister for Law and Justice clarified that the Bar Council elections are scheduled for November, and the election schedule will be issued in the second week of September, leaving adequate time to incorporate these amendments and put in place a more comprehensive mechanism that aligns with the aspirations of the Bar Councils.

Senator Farooq H. Naek, Chairman of the Committee, pointed out a drafting ambiguity regarding the phrase "Provincial Bar Council," which could lead to confusion. He proposed inserting the word "concerned" before "Provincial Bar Council" to ensure clarity and precision. This proposal was unanimously supported.

Paragraph (b)

Senator Shahadat Awan expressed concerns that the proposed requirement of handling fifty cases might not be realistic, particularly for advocates from remote



areas or those who choose to work selectively. He proposed reducing the requirement to 20–25 cases.

Members also pointed out the exclusion of cases conducted on behalf of the government and proposed that such cases be included in the count by omitting the exclusion clause.

#### Paragraph (d)

Senator Shahadat Awan highlighted the specific case of the Karachi Bar Association, where only two Bar Associations exist to cover six districts.

Senator Farooq H. Naek supported the concern, referencing ground realities in Karachi and proposed that a clarification or amendment be included to accommodate such exceptional cases.

8. Based on the above deliberations, the Committee recommended the following revisions to Clause 2, Section 5A of the Bill:

- In **paragraph (a)**, the word “*concerned*” shall be inserted before the words “Provincial Bar Council.”
- In **paragraph (b)**:
  - The word “*fifty*” shall be substituted with the word “*thirty*.”
  - The words “*other than the cases on behalf of the government*” shall be omitted.
- In **paragraph (d)**:
  - The word “*situated*” shall be substituted with the word “*falling*.”
  - After the word “*district*,” the words “*or districts in the case of Karachi*” shall be inserted.

9. Senator Abdul Qadir proposed following amendment in section 7 of the legal practitioner and Bar Council Amendment:-

In section 7, -

(a) for the words “so as to conclude on or before the thirtieth day”, the words “on the first Saturday” shall be substituted; and

(b) after the figure “2020”, at the end, the following new proviso shall be added, namely:-



“provided also that in case the elections cannot be held on the first Saturday, for any reasons, it shall be held on the second Saturday of November of the same year.”; and

(c) the clauses shall be re-numbered accordingly.”

The amendment was supported by all members present and voting.

10. Accordingly, the Committee recommended that “The Legal Practitioners and Bar Councils (Amendment) Bill, 2025”, as reported by the Committee may be passed by the Senate of Pakistan. (Copy of Bill as reported by the Committee is annexed as “A” and the Bill as introduced in the Senate is annexed as “B”)



(RABEEA ANWAR)

A.S / Secretary Committee



( SENATOR FAROOQ HAMID NAEK )  
Chairman

[AS REPORTED BY THE COMMITTEE]

A

**BILL**

*further to amend the Legal Practitioners and Bar Councils Act, 1973*

**WHEREAS** it is expedient to amend the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973) for the purposes hereinafter appearing;

It is hereby enacted as follows: —

**1. Short title and commencement.** — (1) This Act shall be called the Legal Practitioners and Bar Councils (Amendment) Act, 2025.

(2) It shall come into force at once.

**2. Substitution of Section 5A, Act XXV of 1973.**— In the said Act, for section 5A, the following shall be substituted, namely: -

**“5A. Qualification for membership of a Provincial Bar Council and Islamabad Bar Council.** — A person shall be qualified to be elected as a member of a Provincial Bar Council and Islamabad Bar Council if he, —

- (a) is on the roll of advocates of High Court maintained by the concerned Provincial Bar Council and Islamabad Bar Council for not less than ten years;
- (b) has, on the day of filing of the nomination paper, been an advocate for not less than fifteen years, and has individually conducted not less than thirty decided cases;
- (c) has cleared all the dues payable by him to the Provincial Bar Council and Islamabad Bar Council; and

(d) has been a voter member of a Bar Association falling in the district, or districts in the case of Karachi, from where he is a candidate for a period of not less than five years.”

3. **Substitution of Section 5B, Act XXV of 1973.**- In the said Act, for section 5B, the following shall be substituted, namely: -

**“5B. Disqualification for membership of a Provincial Bar Council and Islamabad Bar Council.** — A person shall be disqualified to be elected as a member of a Provincial Bar Council and Islamabad Bar Council if he, —

(a) was dismissed or removed from the service of Government or of a public statutory corporation; or

(b) has been convicted for an offence involving moral turpitude, sentenced to imprisonment for a term of not less than two years, except the one released five years ago; or

(c) has furnished false information for the purposes of enrollment with a Bar Council; or

(d) has been found guilty of professional misconduct; or

(e) has been declared a tout; or

(f) is an undischarged insolvent; or

(g) is guilty of violating the Code of Conduct for the Bar Councils elections framed under section 55(a) of this Act.”

4. **Amendment of Section 7, Act XXV of 1973.**- In the said Act, in section 7,-

(a) for the words “so as to conclude on or before the thirtieth day”, the words “on the first Saturday” shall be substituted; and

(b) after the figure “2020”, at the end, the following new proviso shall be added, namely:-

“provided also that in case the elections cannot be held on the first Saturday, for any reasons, it shall be held on the second Saturday of November of the same year.”

5. **Amendment of Schedule, Act XXV of 1973.** - In the said Act, in the Schedule, for entries related to Khyber Pakhtunkhwa. Bar Council, the following shall be substituted, namely: -

**“Khyber Pakhtunkhwa Bar Council**

**Group of Districts-I**

**Name of District Seats**

- |                                   |         |
|-----------------------------------|---------|
| (1) Peshawar + Khyber Pakhtunkhwa | .... 07 |
| (2) Charsada + Mohmand            | .... 01 |
| (3) Nowshera                      | .... 01 |

**Group of Districts-II**

**Name of District Seats**

- |            |         |
|------------|---------|
| (1) Mardan | .... 02 |
| (2) Swabi  | .... 01 |

**Group of Districts-III**

**Name of District Seats**

- |                                     |         |
|-------------------------------------|---------|
| (1) Kohat + Hangu + Orakzai+ Kurram | .... 01 |
| (2) Karak                           | .... 01 |

**Group of Districts-IV**

**Name of District Seats**

- |   |         |
|---|---------|
| (1) D.I. Khan + Tank + South Waziristan | .... 02 |
| (2) Bannu + North Waziristan            | .... 01 |
| (3) Lakki Marwat                        | .... 01 |

**Group of Districts-V**

**Name of District Seats**

- |                |         |
|----------------|---------|
| (1) Haripur    | .... 01 |
| (2) Abbottabad | .... 02 |

**(3) Mansehra + Batagram+ Toorghar+ Kohistan** .... 02

**Group of Districts-VI**

**Name of District Seats**

**(1) Mingora (Swat)** .... 01

**(2) Shangla (Alipuri)** .... 01

**(3) Daggar (Buner) +Malakand at Batkhela** .... 01

**(4) Timargara (Dir)+ Dir Bala+ Bajour** .... 01

**(5) Chitral Upper+ Chitral Lower** .... 01”

**STATEMENT OF OBJECTS AND REASONS**

The Bar Councils play a pivotal role in upholding constitutional supremacy, the rule of law, and the independence of the judiciary. Therefore, it would be judicious to introduce a robust mechanism and transparent requirements for becoming office holders of Bar Councils. These amendments would ensure that candidates possess the requisite expertise and experience to fulfil these critical responsibilities effectively. In addition, this amendment provides the share of seats for newly merged districts into the Province of Khyber Pakhtunkhwa as prescribed in the group of Districts given in the Schedule made under Sub-Section (2) of Section (5) of the Act.

**SENATOR KHALIL TAHIR**

**MEMBER-IN-CHARGE**

<sup>As</sup>  
[TO BE INTRODUCED IN THE SENATE]

19-6-2025  
Annexure - B

A

BILL

*further to amend the Legal Practitioners and Bar Councils Act, 1973*

**WHEREAS** it is expedient further to amend the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973) for the purposes hereinafter appearing;

It is hereby enacted as follows: —

**1. Short title and commencement.** — (1) This Act shall be called the Legal Practitioners and Bar Councils (Amendment) Act, 2025.

(2) It shall come into force at once.

**2. Substitution of section 5A, Act XXXV of 1973.**— In the Legal Practitioners and Bar Councils Act, 1973 (XXXV of 1973), hereinafter referred to as the said Act, for section 5A, the following shall be substituted, namely: -

**"5A. Qualifications for membership of a Provincial Bar Council and Islamabad Bar Council.** — A person shall be qualified to be elected as a member of a Provincial Bar Council and Islamabad Bar Council if he, —

- (a) is on the roll of advocates of High Court maintained by the Provincial Bar Council and Islamabad Bar Council for not less than ten years;
- (b) has, on the day of filing of the nomination paper, been an advocate for not less than fifteen years, and has individually conducted not less than fifty decided cases other than the cases on behalf of the Government;
- (c) has cleared all the dues payable by him to the Provincial Bar Council and Islamabad Bar Council; and
- (d) has been a voter member of a Bar Association situated in the district from where he is a candidate for a period of not less than five years."

3. **Substitution of section 5B, Act XXXV of 1973** .- In the said Act, for section 5B, the following shall be substituted, namely: -

**"5B. Disqualifications for membership of a Provincial Bar Council and Islamabad Bar Council.** — A person shall be disqualified to be elected as a member of a Provincial Bar Council and Islamabad Bar Council if he, —

- (a) was dismissed or removed from the service of Government or of a public statutory corporation; or
- (b) has been convicted for an offence involving moral turpitude, sentenced to imprisonment for a term of not less than two years, except the one released five years ago; or
- (c) has furnished false information for the purpose of enrollment with a Bar Council; or
- (d) has been found guilty of professional misconduct; or
- (e) has been declared a tout; or
- (f) is an undischarged insolvent; or
- (g) is guilty of violating the Code of Conduct for the Bar Councils elections framed under section 55(a) of this Act."

4. **Amendment of Schedule, Act XXXV of 1973**,- In the said Act, in the Schedule, for entries related to Khyber Pakhtunkhwa, Bar Council, the following shall be substituted, namely: -

**"Khyber Pakhtunkhwa Bar Council"**

**Group of Districts-I**

**Name of District Seats**

- |                        |         |
|------------------------|---------|
| (1) Peshawar + Khyber  | .... 07 |
| (2) Charsada + Mohmand | .... 01 |
| (3) Nowshera           | .... 01 |

**Group of Districts-II**

**Name of District Seats**

- |            |         |
|------------|---------|
| (1) Mardan | .... 02 |
| (2) Swabi  | .... 01 |

**Group of Districts-III****Name of District Seats**

- |                                     |         |
|-------------------------------------|---------|
| (1) Kohat + Hangu + Orakzai+ Kurram | .... 01 |
| (2) Karak                           | .... 01 |

**Group of Districts-IV****Name of District Seats**

- |   |         |
|---|---------|
| (1) D.I. Khan + Tank + South Waziristan | .... 02 |
| (2) Bannu + North Waziristan            | .... 01 |
| (3) Lakki Marwat                        | .... 01 |

**Group of Districts-V****Name of District Seats**

- |   |         |
|---|---------|
| (1) Haripur                                 | .... 01 |
| (2) Abbottabad                              | .... 02 |
| (3) Mansehra + Batagram+ Toorghar+ Kohistan | .... 02 |

**Group of Districts-VI****Name of District Seats**

- |   |          |
|---|----------|
| (1) Mingora (Swat)                        | .....01  |
| (2) Shangla (Alipuri)                     | .... 01  |
| (3) Daggar (Buner) + Malakand at Batkhela | .... 01  |
| (4) Timargara (Dir)+ Dir Bala+ Bajour     | .... 01  |
| (5) Chitral Upper+ Chitral Lower          | .... 01" |

**STATEMENT OF OBJECTS AND REASONS**

The Bar Councils play a pivotal role in upholding constitutional supremacy, the rule of law, and the independence of the judiciary. Therefore, it would be judicious to introduce a robust mechanism and transparent requirements for becoming office holders of Bar Councils. These amendments would ensure that candidates possess the requisite expertise and experience to fulfill these critical responsibilities effectively. In addition, this amendment provides the share of seats for newly-merged districts into the Province of Khyber Pakhtunkhwa as prescribed in the group of Districts given in the Schedule made under Sub-Section (2)(b) of Section 5 of the Act.

**SENATOR KHALIL TAHIR  
MEMBER-IN-CHARGE**