

GOVERNMENT OF PAKISTAN

MINISTRY OF JUSTICE AND PARLIAMENTARY AFFAIRS

(Justice Division)

RESOLUTION

Islamabad, the 14th September, 1988

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No. F. 12 (11)87-Legis.—WHEREAS it is expedient to enhance the professional competence of judges and thereby improve the judicial efficiency and judicial administration ;

AND WHEREAS proper orientation and training of judicial officers and court personnel, and their continuing professional education during service, are steps necessary to improve the quality of justice administered in the courts ;

AND WHEREAS for achieving the aforesaid objects the Government of Pakistan has decided to establish a Federal Judicial Academy at Islamabad ;

AND WHEREAS the Federal Judicial Academy may be registered under the Societies Registration Act, 1860 ;

NOW, THEREFORE, it is resolved as follows :—

1. **Name and location.**—(1) The Academy shall be called the Federal Judicial Academy.

(2) It shall be established at Islamabad.

2. **Definitions.**—In this Resolution, unless there is anything repugnant in the subject or context,—

(a) “Academy” means the Federal Judicial Academy ;

(b) “Board” means the Board of Governors of the Academy ;

(c) “Chairman” means the Chairman of the Board ;

(d) “Director-General” means the Director-General of the Academy ;

(e) “prescribed” means prescribed by rules ; and

(f) “staff” means members of the staff of the Academy, whether employed whole-time or on part-time basis or on contract ;

3. **Aims and objects.**—The aims and objects of the Academy shall be—

(a) orientation and training of new judges and other law officers ;

(b) continuing education of in-service judges ;

(c) holding of conferences, seminars, workshops, and symposia for improvement of judicial system and quality of judicial work ; and

(d) publishing of journals, memoirs, research papers, reports, etc.

4. **Constitution of Board.**—(1) The Board shall consist of—

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| (i) Chief Justice of Pakistan | <i>Chairman</i> |
| (ii) Minister for Justice and Parliamentary Affairs | <i>Vice-Chairman</i> |
| (iii) Attorney-General for Pakistan | <i>Member</i> |
| (iv) Chief Justice of the Lahore High Court | <i>Member</i> |
| (v) Chief Justice of Sind High Court | <i>Member</i> |
| (vi) Chief Justice of Peshawar High Court | <i>Member</i> |
| (vii) Chief Justice of Baluchistan High Court | <i>Member</i> |
| (viii) Secretary, Ministry of Justice and Parliamentary Affairs | <i>Member</i> |
| (ix) Four members, one from each Province, to be nominated by the Chairman from amongst the judges, jurists and lawyers | <i>Member</i> |
| (x) Not more than four members to be nominated by the Ministry of Justice and Parliamentary Affairs | <i>Members</i> |
| (xi) Director-General of the Academy | <i>Member/
Secretary.</i> |

(2) The existence of a vacancy in, or defect in the Constitution of, the Board shall not invalidate any act or proceedings of the Board.

(3) The term of the office of the members of the Board, other than *ex-officio* members, shall be three years.

5. **Powers and functions of the Board.**—For carrying out the objectives of the Academy, the Board shall, *inter alia*,—

- (a) exercise general supervision over the affairs of the Academy ;
- (b) lay down the policy and programme for training of judges and other law officers and approve course of training ;
- (c) **evaluate and examine the activities of the Academy ;**
- (d) approve and consider the annual budget and revised budget estimates ;
- (e) receive grants-in-aid from the Federal Government, Provincial Governments and aid giving agencies ;
- (f) cause proper books of accounts to be maintained for all sums of money received and expended by the Academy and arrange for its audit by the Accountant-General of Pakistan Revenues.
- (g) hear service appeals of employees of the Academy against the orders of **Director-General ;**

- (h) create, abolish and suspend posts ;
- (i) prescribe duties of the members of the staff ;
- (j) appoint, suspend, punish and remove from service any member of the staff ;
- (k) purchase, hire, construct or alter any building for the Academy ;
- (l) regulate, determine and administer all matters concerning the Academy ; and
- (m) decide any other matter ancillary and incidental to the objectives of the Academy or any matter which the Director-General may bring to the notice of the Board.

6. **Delegation of powers.**—The Board may delegate all or any of its powers and functions to the Chairman, Director-General, any member of the Board or any other person :

Provided that the Director-General may, in any emergency which in his opinion requires immediate action, assume such powers as he may consider necessary in the circumstances and shall report for approval of his action to the Board in its next meeting.

7. **Appointment of advisers, consultants, etc.**—The Board may appoint advisers, consultants and experts for its assistance.

8. **Resignation from membership, etc.**—(1) Any member of the Academy, other than an *ex-officio* member, may, at any time, by writing under his hand addressed to the Chairman, resign his office.

(2) Any casual vacancy in the office of a member, other than *ex-officio* member, shall be filled in through nomination by the Chairman for the unexpired period of the term of the member.

9. **Meetings of the Board.**—(1) The meetings of the Board shall be called by the Chairman or, in his absence, by the Vice-Chairman on such date and at such time and place as may be specified by him :

Provided that not more than a period of six months shall intervene between two meetings of the Board.

(2) The Chairman or, in his absence, the Vice-Chairman, or if the Vice-Chairman is also absent, the member elected by the members for the purpose, shall preside at a meeting of the Board.

(3) The quorum for the meetings of the Board shall be five members.

PART III]

(4) The Board may, from time to time, appoint such working groups of persons, from amongst its members or otherwise, as it may consider necessary and give them specific assignments related to the affairs of the Academy.

10. **Director-General.**—(1) The Director-General shall be appointed by the Board on such terms and conditions as it may determine.

(2) The management of the Academy shall be carried on by the Director-General under the general directions of the Board.

(3) The Director-General shall be the academic and administrative head of the Academy and shall be responsible for the maintenance of good order and discipline.

(4) The Director-General shall have the authority to appoint the members of the staff,—

(a) on the recommendation of a selection committee constituted by the Board and in consultation with the Secretary, Ministry of Justice and Parliamentary Affairs, to the posts carrying Basic Pay Scales upto 16 ; and

(b) on the recommendation of a selection committee constituted by the Board and in consultation with the Chairman and the Vice-Chairman, to the posts in Basic Pay Scales 17 or above.

(5) The Director-General shall be the principal accounting officer of the Academy.

11. **Funds of the Academy.**—(1) The Federal Government may, from time to time, place funds at the disposal of the Academy for smooth discharge of its functions and the efficient conduct of its affairs.

(2) The Academy may also be financed from the following sources :—

(i) Grants from the Provincial Governments ;

(ii) sale or royalties of publications ; and

(iii) aid from national and international agencies.

(3) Funds of the Academy shall vest in the Board, and may be kept in the personal ledger account of the Academy, to be opened in the Government Treasury or, with the approval of the Federal Government, in a scheduled bank, to be operated by the Director-General.

12. **Budget, etc.**—(1) The Director-General shall, in respect of each financial year, submit for approval of the Board by such date and in such form as may be prescribed, a statement showing the estimated receipts, current and development expenditure and the sums which are likely to be required from the Federal Government during a financial year.

(2) The Director-General shall not incur any expenditure from the funds which is not provided for in the budget approved by the Board.

13. **Annual reports, etc.**—(1) Within two months of the conclusion of each calendar year, the Director-General shall submit the annual report to the Board in respect of various activities carried out by the Academy during the last year.

(2) The Board may, from time to time, submit a report to the Federal Government relating to the funds of the Academy and its programmes.

14. **Directives of the Government.**—The Federal Government may, from time to time, issue to the Board and to the Director-General such directions or instructions as it may consider necessary for carrying out the purposes of this Resolution and the Board shall comply with and carry out such directives and instructions.

15. **Rules.**—The Board may make rules for carrying out the purposes of this Resolution.

16. **Removal of difficulties.**—If any difficulty arises in giving effect to any provision of this Resolution, the Federal Government may make such order, not inconsistent with the express provisions of this Resolution, as may appear to it to be necessary or expedient for the purpose of removing the difficulty.

MR. JUSTICE NASIR ASLAM ZAHID,
Secretary.

NOTIFICATIONS