



Annual Report | 2020



Khyber Pakhtunkhwa Judicial Academy

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FOREWORD

Zia-ud-din Khattak

Director General

Khyber Pakhtunkhwa Judicial Academy

DEAN' NOTE

Syed Kamal Hussain Shah,

Dean Faculty

Khyber Pakhtunkhwa Judicial Academy

CHAPTER -1 MISSION AND GOVERNANCE

Mission Statement

“Our mission is to develop the constructive attitude of young law-graduates as competent professionals, to build their capacity, to inculcate in them patience, sobriety, confidence, discipline and proficiency of high quality legal reasoning, to enable them to create harmony among all justice sector institutions, to sensitize them to the rights of all litigant public, particularly of the vulnerable communities, and to make them leaders to render positive contribution to strengthen the rule of law.”

Aims & Objectives

Established under the Khyber Pakhtunkhwa Judicial Academy Act, (Act No. IV of 2012), the Khyber Pakhtunkhwa Judicial Academy aspires to ensure imparting high quality training to judicial officers, courts’ paralegal staff and the personnel of all the departments and institutions who are directly or indirectly associated with the system of administration of justice. The development of curriculum apart, the Academy ensures to transfer knowledge, develop skills and promote progressive attitudes of all the stakeholders of the justice sector. With this purpose, the Academy has set principles of policy to achieve its prescribed aims and objectives.

The aims and objectives of the Academy are:-

- To train judges, court paralegal staff and personnel concerned with other justice system institutions and also to develop their capacity, professional competence and ethical standards for efficient dispensation of justice;
- To sensitize judges and all other justice sector personnel about their duty of efficient delivery of justice services to the citizens, notably, the vulnerable communities that will ultimately contribute to the rule of law;
- To develop syllabus for the Academy that suits to its existing and anticipated objectives and to introduce judicial studies as a major subject in view of the emerging requirements in and around Khyber Pakhtunkhwa;
- To develop a think-tank within the Academy – former judges, lawyers, law teachers, progressive religious scholars and civil society – to promote, support and catalyze justice in strife stricken areas of Khyber Pakhtunkhwa;
- To develop linkages, in-land and abroad, with other academies and policy institutions;
- To promote debate & dialogue on causes of disputes and to engage with communities at the grassroots levels for promotion of justice;
- To raise and generate fund for activities of the Academy;
- To help eliminate delay in adjudication of cases and to make justice truly affordable and expeditious.

2.2 Profile of Hon'ble the Chairman

Mr. Justice Waqar Ahmad Seth (Late)

Hon'ble the Chief Justice,

Peshawar High Court (PHC)



Education

- Received his secondary education in 1977 from Cantonment Public School, Peshawar;
- Higher Secondary School Certificate from F.G. Inter College for Boys in 1979;
- Bachelor of Science Degree from Islamia College, Peshawar in 1981;
- Bachelor of Arts (Additional) from University of Peshawar in 1982;
- LLB from Khyber Law College, Peshawar in 1985;
- M.A. (Political Science) from University of Peshawar in 1986.

Professional Career

- Enrolled as an Advocate of the District Courts on 18.12.1985;
- Enrolled as an Advocate of the High Court on 22.03.1990;
- Enrolled as an Advocate of the Supreme Court of Pakistan on 24.05.2008.

Judicial Career

- Elevated to the Bench as Additional Judge on 2nd August, 2011;
- Remained as Banking Judge, Peshawar High Court, Peshawar;
- Remained as Company Judge, Peshawar High Court, Peshawar;
- Remained as Member Subordinate Judiciary Service Tribunal,

Peshawar.

As the Chief Justice

- Took oath as the Chief Justice Peshawar High Court on 28th June, 2018.
- Passed away on 12-09-2020.

2.3 Profile of Hon'ble the Chairman

Mr. Justice Qaiser Rashid

Hon'ble Chief Justice,

Peshawar High Court (PHC).



Education

- Received his secondary education from Cadet College, Kohat in 1976.
- F.Sc. from Islamia College, Peshawar in 1978;
- Graduated from Islamia College, Peshawar in 1981;
- Obtained Law Degree from Khyber Law College, Peshawar in 1984;
- M.A (Political Science) from University of Peshawar in 1987; and
- M.A (Journalism) from University of Peshawar in 1991.

Professional Career

- Enrolled as an Advocate of the District Courts in 1984;
- Enrolled as an Advocate of the High Court in 1991;
- Enrolled as an Advocate of the Supreme Court in 2008.

Activities at Bar

- Elected as a member of the Provincial Bar Council for two terms in November, 1998 and April, 2004;
- Elected as a member of the Pakistan Bar Council on 22.12.2010.

- Appointments**
- Worked as Additional Advocate General, Khyber Pakhtunkhwa from 17.3.2008 till resignation on 25.3.2010;
 - Remained legal advisor of various institutions and organization.
- Judicial Career**
- Elevated to the bench on 02.8.2011;
 - Have been working as Judge, Labour Appellate Tribunal since January, 2012 for the areas falling within the limits of D.I. Khan and Bannu Benches;
 - Appointed as Member Subordinate Judiciary Services Tribunal on 21st June, 2012;
 - Chairman Enrollment Committee, Provincial Bar Council for D.I.Khan Division;
 - Appointed as Inspection Judge for various districts.
 - Appointed as Election Tribunal for hearing appeals of the constituencies of National Assembly as well as Provincial Assembly of KPK on 17th July, 2013;
 - Appointed as Incharge Judge High Court Administration to liaison the issues of Construction Work on 9th April, 2014;
 - Appointed as Chairman, Khyber Pakhtunkhwa Subordinate Judiciary Services Tribunal on 10th April, 2014;
 - Appointed as Member of the Committee for Enhancing Environmental Justice in Pakistan on 18th January, 2017.
- As the Chief Justice**
- Assumed charge as Acting Chief Justice, Peshawar High Court on 13th November, 2020.
 - Took Oath as Chief Justice, Peshawar High Court on 09-01-2021

CHAPTER -2 Board of Governors

The Khyber Pukhtunkhwa Judicial Academy is a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property both

moveable and immovable and may, by the said name, sue and be sued. The management of its affairs vests in the Board of Governors (BoG). The Board currently consists of:

1. Chief Justice, Peshawar High Court;	Chairman
2. Senior most Judge of the Peshawar High Court;	Vice Chairman
3. Additional Chief Secretary to the Government of Khyber Pakhtunkhwa;	Member
4. Secretary to the Government of Khyber Pakhtunkhwa for Law, Parliamentary Affairs and Human Rights Department;	Member
5. Secretary to the Government of Khyber Pakhtunkhwa for Finance Department;	Member
6. Advocate General, Khyber Pakhtunkhwa;	Member
7. Registrar, Peshawar High Court;	Member
8. Additional Registrar (Admn), Peshawar High Court;	Member
9. Member Inspection Team, Peshawar High Court;	Member
10. Dean, Faculty of Law, University of Peshawar;	Member
11. Director General, KP Judicial Academy.	Member-cum-Secretary

2.3 Role and Powers of Board of Governors

The Board of Governors shall:-

- a.** exercise supervision and control over the affairs of the Academy;
- b.** lay down the policy and program for training;

- c. initiate, modify, adopt the curriculum, courses, modules, clinics, for orientation and training;
- d. organize and carry out the activities and performance of the authority;
- e. consider and approve the annual budget and revised budget estimate of the academy;
- f. manage financial affairs;
- g. cause proper books of account to be maintained for all sums of money received and expenditure incurred by the academy and arrange for audit of accounts;
- h. specify qualifications, conditions of service and matters relating to the director general, faculty members and staff of the academy;
- i. create, abolish, suspend and upgrade posts;
- j. purchase, hire, construct or alter any building for the use of the academy;
- k. acquire, hold, control, maintain, administer, construct or dispose of any property, or other assets;
- l. acquire, maintain and dispose of any vehicle;
- m. affiliate the academy with other academies, institutions and centers of the federal, provincial or foreign government and organizations;
- n. appoint advisors, consultants and experts and specify their terms and conditions;
- o. appoint or hire permanent or visiting faculty and specify their terms and conditions; and
- p. decide any other matter ancillary or incidental to aims and objectives of the academy.

Powers have been delegated to the Hon'ble the Chairman of the Board of Governors, members or the Director General for performance of certain important functions of urgent nature.

Being administrative and academic head, the Director General, Khyber Pakhtunkhwa Academy manages the affairs of the Academy under the general direction of the Chairman.

2.4 Powers and functions of the Director General

The Director General is appointed by the Chairman on such terms and conditions as may be approved by the Board.

- a. The Director General shall manage the affairs of the Academy under the general directions of the Chairman;

- b. The Director General is the academic and administrative head. He is also the Principal Accounting Officer of the Academy.
- c. The Director General is the DDO of the Academy.
- d. The Director General shall execute the policy, set out by the BoG:

2.5 Appointment of Officers and Members of Staff of the Academy

The members of the staff of the Academy are appointed by direct recruitment, transfer and deputation in such manner and on such terms and conditions as envisaged in Khyber Pakhtunkhwa Judicial Academy Staff (Terms & Conditions of Service) Rules, 2012.

Appointments of the members of the staff to posts in Basic Pay Scale 17 and above are made by the Chairman. All appointments of the members of the staff to posts in Basic Pay Scale 1 to 16 are made by the Director General with the approval of the Chairman.

2.6 Meetings of the Board of Governors

In the current year, two meetings of the Board of Governors were held.

The 10th meeting of the Board of Governors (BOG) was held on 18-01-2020. Hon'ble Chairman, KPJA / Chief Justice Peshawar High Court Hon'ble Justice Waqar Ahmed Seth chaired the meeting. Eight members of the Board were in attendance except Principal, Khyber Law College. In the meeting, follow-up of the previously decided matters was conducted and various administrative decisions on the agenda items including financial matters, were taken.



The 11th meeting of Board of Governors (BOG) was held at Khyber Pakhtunkhwa Judicial Academy on 12-06-2020. Hon'ble Chairman, KPJA / Chief Justice Peshawar High Court Hon'ble Justice Waqar Ahmed Seth chaired the meeting. All the members of the Board were present except Principal, Law College. In the meeting, the Board deliberated upon various agenda items including the annual budget of the Academy, actuarial study of the pension rules, ongoing developmental projects etc and decisions were taken.



CHAPTER-3

TRAININGS AND WORKSHOPS & SEMINARS

Under its statutory mandate in terms of section 4 of the Act, 2012, the Khyber Pakhtunkhwa Judicial Academy arranged following trainings, seminars and workshops in 2020.

S.#	Activities	Participants	Duration
1.	5-day training for young lawyers across KP	Lawyers	14-18 Jan 2020
2.	5-day training for NAB Investigators	NAB Officers	3-8 Feb 2020
3.	3-day Master Training Program for Religious Scholars (Batch-1/6)	Religious Scholars	24-26 Feb 2020
4.	One-day seminar on Rules worked out under section 89-A of the CPC, 1908 on ADR	Judicial Officers	27-Feb-2020
5.	3-day Master Training Program for	Religious Scholars	9-11 Mar 2020

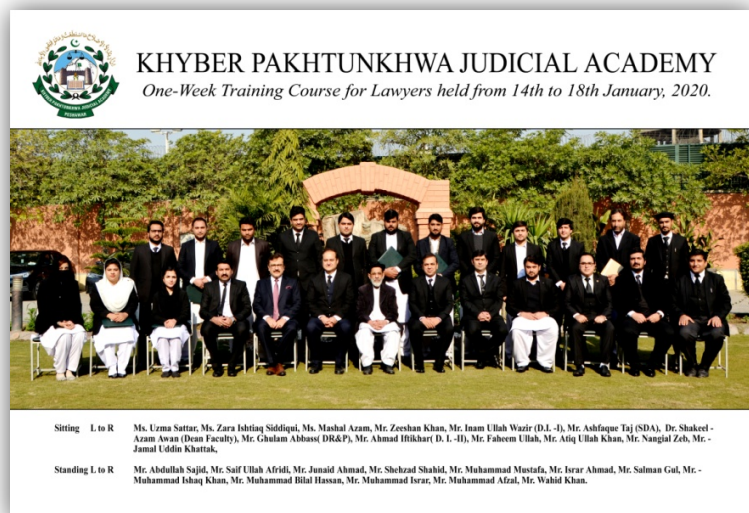
Religious Scholars (2/6 Batch)			
6.	2-day training on Gender-Based Violence Laws	Judicial Officers	23-24 Jun 2020
7.	2-day training for young lawyers across KP Province	Lawyers	8-9 July 2020
8.	3-day training on Child Protection/ Juvenile Justice System Laws	Judges, Prosecutors etc	27-29 July 2020
9.	One day training for Court Staff of the offices of DSJ on the practice and procedure of newly established sub-registry of PHC (Principle Seat/Peshawar)	Superintendents, Coping agents & Computer Operators	17th Aug 2020
10.	One day training for Court Staff of the offices of DSJ in province on the practice and procedure of newly established sub-registry of PHC (Abbottabad Bench)	Superintendents, Coping agents & Computer Operators	18th Aug 2020
11.	One day training for Court Staff of the offices of DSJ in province on the practice and procedure of newly established sub-registry of PHC (DIK, Bannu Bench)	Superintendents, Coping agents & Computer Operators	19th Aug 2020
12.	One day training for Court Staff of the offices of DSJ in province on the practice and procedure of newly established sub-registry of PHC (Swat Bench)	Superintendents, Coping agents & Computer Operators	20th Aug 2020

13.	3-day training for newly inducted lawyers on professional responsibilities and legal ethics	Lawyers	1st - 3rd Sep 2020
14.	3-day training course for newly inducted lawyer on Professional Ethics	Lawyers	15-17 Sep 2020
15.	3-day Master Training Programme for 200 Religious Scholars (Batch-3/6)	Religious Scholars	6-8 Oct 2020
16.	3-day Master Training Programme for 200 Religious Scholars (Batch-4/6)	Religious Scholars	13-15 Oct 2020
17.	3-day Master Training Programme for 200 Religious Scholars (Batch-5/6)	Religious Scholars	20-22 Oct 2020
18.	3-day Master Training Programme for 200 Religious Scholars (Batch-6/6)	Religious Scholars	27-29 Oct 2020
19.	28-day Pre-service Training for newly inducted Civil Judges-cum-Judicial Magistrates (PST-2020)	Judicial Officers	11 Nov - 8 Dec 20
20.	One-day Consultation Sessions for Prosecutors	Prosecutors	14 th Nov 20
21.	2-day Training for Police officials on Child Rights and Child Justice	Police	18-19 Nov 20
22.	2-day Consultative Seminar on draft SOPS for Virtual Courts	Stakeholders	25-26 Nov 20
23.	2-day Training for Police officials on Child Rights and Child Justice	Police	9-10 Dec 20
24.	One day Consultative Seminar on Release Warrant through E-modes	Judicial Officers and other Stakeholders	23-Dec-20

ACADEMIC ACTIVITIES

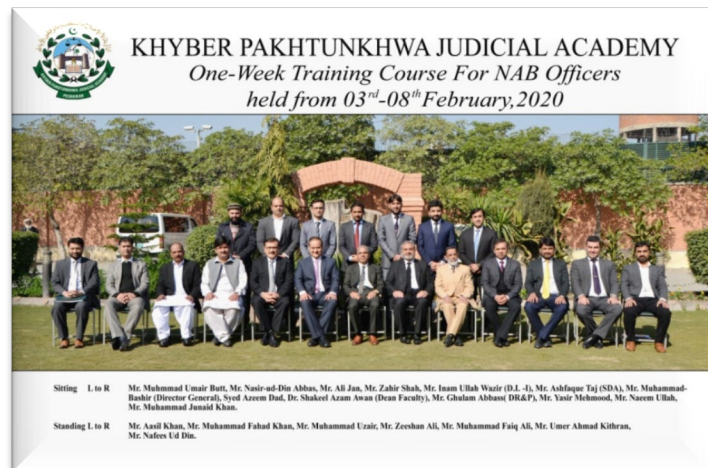
Professional Development Training for Young Lawyers

Lawyers are professionally required to provide legal counseling to public by helping them understand and navigate the legal system. Owing to the nature of their work, they should be well-equipped in legal knowledge and a better understanding of the court procedures. Attesting its commitment to enhance practitioners' skills, the Academy conducted two training sessions in 2020, wherein newly inducted lawyers from across Khyber Pakhtunkhwa participated. The Academy focused on the young lawyers having two to four years standing at the Bar. The participants, twenty-five in total, were imparted trainings in the areas of concept of advocacy in socio-economic perspective and consumer laws. The discourses included critical areas of pleading, ADR, bail matters & superdari, interpretation of statutes, precedents, appeals and revisions. Training was also imparted in the areas of principles of law of evidence which included examination of witnesses, evidentiary value of hearsay testimonies and appreciation of electronic evidence. The resource persons referred to the latest case laws and practical aspects of the subjects. The discourse also comprised of an extensive talk on recent amendments in the Civil Procedure Code relating to case management. During the lectures, the participants were engaged in academic activities through group discussions on various important topics e.g. Bar & Bench Liaison, delay in trials, and conduct of a lawyer in court. Per the feedback of the participants, the training was evaluated as excellent and beneficial. They expressed their satisfaction in acquiring in-depth knowledge in various areas of law.



Training of NAB Investigators

On direction of Hon'ble the Chairman, KPJA / Hon'ble the Chief Justice, Peshawar High Court, Peshawar and on request of the NAB authorities, one-week training course for the Investigation Officers of National Accountability Bureau (NAB) was organized. Ensuing to the joint meeting with officers of the Academy, the Bureau shared their training needs assessment (TNA). The course was held from February 3rd to 8th, 2020. Fifteen Investigating officers attended the training. Considering the TNA, the training module focused on developing the investigative skills and enhancing their understanding of procedural law. The topics of the course included the Ethics in Public Service: Significance for NAB Investigation, Cognitive Behavior Therapy, Important precedents on Accountability Laws, Law of Evidence: Burden of Proof with specific reference to NAB law, Relevancy of Testimonies & Impeaching Witnesses, Examination of witnesses, Admissions & Confessions and Documentary Evidence in white-collar crimes. Likewise, special discourses were arranged pertaining to the basic investigation techniques, basic ingredients of offences under NAB law, common mistakes in investigation of NAB offences, and fundamentals of land records. Experienced judges, a former senior officer from civil service, well-versed revenue officer and prominent lawyers were amongst the resource persons.



The participants in their training evaluation expressed satisfaction regarding the effectiveness and usefulness of the training. They also expressed their profound gratitude to the Peshawar High Court and the Academy for arranging the training.

Online Workshop of Senior Civil Judges on Recruitments

Trainee's comments

"The training program was very beneficial. Knowledge diversity of the experienced resource persons was commendable."

On direction of Worthy Peshawar High Court, Peshawar vide No. 23358/SDJ/PHC/HRW/06-V.I-2019 dated 12-12-2019, two-days online workshop for capacity building of the Senior Civil Judges was arranged. The training was intended to equip the judges regarding the matters of recruitments and service laws. Discourses were delivered by Mr. Zia-ur-Rehman, Director Regulations, Mr. Zaem Ahmed, Director HR&W and Mr Jawad Amin, HR Specialist, SDJ, Peshawar High Court. the participants were apprised about the intricacies of recruitment process particularly regarding chalking out different quotas in the vacancies, age relaxation, bowl policy etc. Beside the capacity building of the SCJs, the activity was aimed at creating a pool of nominees of Peshawar High Court for Departmental Selection Committees and Departmental Promotion Committees. It was the first-ever online training of the judicial officers conducted by the Academy.



Workshops for Ulema and Khateeb in collaboration with Population and Welfare Department, Khyber Pakhtunkhwa

In pursuance of the directions of August Supreme Court issued in the Human Rights Case No. 17519 of 2018 and on the request of Population and Welfare Department, Khyber Pakhtunkhwa, six sessions of three-days workshops for Ulema and Khateeb on ‘family planning and reproductive health’ were organized at Khyber Pakhtunkhwa Judicial Academy Peshawar. The training workshops were held as joint venture of the Academy in collaboration with Khyber Pakhtunkhwa Population Welfare Department. About fifty-two Ulema and Aimag, from across Khyber Pakhtunkhwa, participated in the two sessions. The discourses included ‘*Adal-e-ijtmahi ka islami taswar*’, ‘*muslim muhashira mn khandani masa’el, asbab or haal*’, ‘*bharty howy mahashi masa’el*’, ‘*family planning, masa’el, askalaat or isalmi tahlimaat*’. On conclusion of each



session, the closing ceremonies were held at Judicial Academy in which Director General Judicial Academy Muhammad Bashir, Secretary Population Welfare Department Khyber Pakhtunkhwa Asghar Ali Shah and Dean Faculty of Shariah Academy, International Islamic University Islamabad Dr. Zahid Mughal, Chief Khatib Khyber Pakhtunkhwa and other officials of the Academy graced the occasion.



In his concluding address, Director General, Khyber Pakhtunkhwa Judicial Academy shed light on importance of the topics of the training workshops and pressed its necessity and in-depth understanding in true perspective of the Islamic injunctions based on Qur'an and Sunnah. Asghar Ali Shah, Secretary Population Welfare Department Khyber Pakhtunkhwa thanked the participants, resource persons and the Academy for successful arrangement of the training workshops. He expressed high expectations from the participants to create awareness among the people about the problems arising from the growing population and their solutions. In his address, Maulana Muhammad Ismail, Chief Khatib Khyber Pakhtunkhwa paid tribute to the Academy and the Population and Welfare Department for organizing the valuable training workshop for the Ulema and Kateebes. He added that the scholars had benefited a lot from the workshop and were sensitized about the importance of the

Objective of the Workshop

To seek guidance from religious scholars on

- i. *High rate of population growth vis-à-vis sustainability or otherwise of natural resources and socio-economic development with regard to investments in human development in terms of health, education, nutrition and productive skills;*
- ii. *Misconceptions regarding population planning and reproductive health;*
- iii. *Islamic perspective on population planning and reproductive health;*
- iv. *Role of Ulema and Khateeb in allaying such misconceptions from society;*
- v. *To impart, with proactive help of religious scholars especially Ulema and Khateebes on nitty-gritty of family*

issues. He appreciated the arrangements made by the Academy as exemplary. He assured due cooperation of the Ulema with the Government for betterment of the society.

Comment

“The slogan is balance and according to Islamic teachings, our institution is now talking about limiting the family to its own resources, which is permissible”.

National Seminar on "The Rules worked out under section 89-A of the Code of Civil Procedure, 1908" on Alternate Dispute Resolution"

A seminar on the Rules worked out under section 89-A Code of Civil Procedure, 1908 for Alternate Dispute Resolution was held in the Academy on 27th February, 2020. The judicial officers and lawyers from across the country participated.

The session was anchored by Mr. Ahmed Iftikhar, Director Instructions. Director General welcomed the participants and expressed gratitude to all the participants for arrival. He thanked UNDP on financial support for the seminar. Author of the draft rules, Dr. Shakeel Azam Awan, Dean Faculty, presented the draft and made an extensive briefing on the Rules. The draft was thoroughly deliberated upon by the participants in various sessions.

Objectives:

- a. The activity is designed to browse upon the conceptual framework of the worked out rules;*
- b. To get the feedback of the stakeholders of justice system on the same;*
- c. To learn from the experiences and expertise of the participants in relation to ADR Rules and functioning of mediation centers.*

The participants furnished their recommendations in respect of the Rules.

- i. There was consensus upon the framework of the draft rules;
- ii. Out of 4 groups, three (3) groups endorsed the worked out Rules with minor suggestions;
- iii. One group did not object to the overall concept and framework of the draft rules, however some reservations were expressed pertaining to the rule-making domain

under section 122 of CPC, establishment of mediation centers and pre-action conduct.

iv. Over all, there was consensus as to making of the Rules for efficacious proceedings of ARD under section 89-A of CPC.

Crux of the whole exercise was that the overall scheme of the Draft Rules was endorsed by the participants. In the concluding ceremony, Chief Guest Mr. Muhammad Zubair, MIT, Peshawar High Court Peshawar thanked all participants for having graced the occasion. He further thanked UNDP for having supported this activity. The seminar was wrapped up by certificate distribution and group photograph. Report of the seminar and the worked out Rules is uploaded on the Academy' website.

TRAINING ON GENDER BASED VIOLENCE

In pursuance to the directive of hon'ble Peshawar High Court, the Academy organized two days training on Gender Based Violence (GBV). The objective of the Program is to sensitized the stakeholders of justice sector about GBV laws and promote awareness of Gender Based Violence laws and procedures to enable the participants to reflect on the link between GBV and protection in the given context.

In the inaugural ceremony of the workshop, Director General, KP Judicial Academy graciously welcomed the participants and Ms Valarie Khan Yousafzai, Chairperson, Group Development Pakistan. In his introductory remarks, he highlighted the issues of Gender based violence in criminal courts and sensitized the trainees about the objectives of the activity.



In the concluding session, Director General commended the efforts of the GDP Team and expressed his gratitude for imparting training on the GBV and looked forward that the training will certainly improve faculties of the stakeholders in implementation of the GBV

laws in its letter and spirit. Ms Vilarie Khan praised the Academy for organizing the training program and expressed her expectations for its beneficial outcome in the justice sector.

Two-day Training Courses for Newly Inducted Lawyers of the Province

In furtherance of its statutory mandate, the Academy arranged two-day training course for newly inducted lawyers on 08-09 July, 2020. The activity course was tailored to the needs of young lawyers to perform efficiently. The training was unprecedented, where lawyers from almost across the country participated. Focus of the contents was mainly on areas of ‘Professional Conduct of Lawyers with regard to Court, Client, Other Advocates & Bars, and public in general. Mr. Shumail Ahmad Butt Advocate General, Khyber Pakhtunkhwa, honored the occasion to share their knowledge and experience. Besides, Barrister Baber Shehzad, Advocate Supreme Court of Pakistan, Mr. Aamir Javed, Advocate Supreme Court of Pakistan, Mr. Muhammad Alam Khan, Advocate Supreme Court of Pakistan, and Abdul Latif Khan, Chairman Environmental Protection Tribunal (EPT), gave their insight on different subjects. Learned Speaker emphasized the obligatory duties of the advocate to treat adverse witness/party and pinpointed the ideal conduct in and outside the Court. They were emphatic that violation of canons constituting misconduct which entailed penalties.

Abdul Latif Khan, Chairman, Environmental Protection Tribunal (EPT) elaborated the general principles of the law of evidence in criminal and civil cases. The resource person discussed different types of evidence, oral and documentary and emphasized the prosecution's duty to prove the case beyond reasonable doubt as against the standard of preponderance of evidence in civil cases. The resource person explained proof of document. The document he said is to be proved by examination of attesting witnesses, stamp vendor, notary public, and the executants. Speaker referred to the superior court's viewpoint on whether witnesses of the deed were bound to be aware of the contents of the deed.

Advocate Alam Khan gave a lecture on legal drafting. He stressed the importance of proper client instructions and knowledge of the law. While explaining his viewpoint on the client's instructions, he referred to admission in pleading and its effect, an attorney's duty in the event of deliberate wrong admission, and the remedy to amend the pleading. The resource person impressed the significance of the study of case law in legal drafting. Finally, the speaker said that writing skills reflected the personality of the drafter and that legal drafting contributed a lot to create an overall impression on the court.

Advocate General explained definitions of morality, ethics, law, and legal ethics. He explained the legal framework and emphasis on adding legal ethics subject in law curricula as observed by Honorable Superior Courts in various seminal precedents. The participants evaluated the training as effective and beneficial.

Three-days Training on Child Protection/Juvenile Justice System Laws

In line with the recommendations of Law & Justice Commission of Pakistan and directives of Peshawar High Court, third training of judges of the Child Protection Courts and other stakeholders were conducted. The training was intended to fulfill the objectives of the new legal framework and to improve the capacity of the justice sector stakeholders to respond to the new challenge.

Worthy Director General, in his opening remarks, emphasized that status of children as the most vulnerable segment of society and opined that it was religious, moral, and legal duty of all stakeholders to produce a conducive environment for a

"The lawyer should bring his manners into the courtroom. If he possesses none, he should borrow a set for courtroom use." U.S. Federal Judge and Cornell University Dean, Frank Irvine

child at risk and a child in conflict with law. He highlighted the need of enforcement of the Khyber Pakhtunkhwa Child Protection and Welfare Act, 2010 in letter and spirit to provide for the care, protection, maintenance, welfare, training, education, rehabilitation, and reintegration of children at risk. He highlighted that Peshawar High Court pursued its efforts to reform the criminal justice system and persuaded the Provincial Government to set up the Child Protection Courts at the divisional headquarters. In the end, the DG appreciated Ms. Valerie Khan in her efforts for the capacity building of the stakeholders of the child

protection regime. Participants of the training were the Presiding Officers of the Child Protection Court, the Public Prosecutors, and other justice sector stakeholder associated with the child protection regime.

Ms. Valerie Khan, Executive Director, Group Development Pakistan, shared her knowledge and experience. Besides, Mr. Sharafat Ali, Advocate Supreme Court of Pakistan, gave an intensive discourse on different subjects. Ms. Wadeeya Mushtaq Malik, Presiding Officer, Child Court, Peshawar, also shared her valuable experience.

Mr. Sharafat Ali gave a comprehensive overview of the International Legal Framework on child rights. He dilated on the distinction between hard and soft law, explaining sources of the two and referred to the following international instruments dealing with children's rights. He pin-pointed the United Nations minimum standard for the administration of juvenile justice and the prominent aspects of the Beijing Rules. Special focus of the training was on a comprehensive discussion of the domestic legal framework about the child rights and experience sharing session with the Presiding Officer of the first Child Protection Court in Khyber Pakhtunkhwa.

The trainees were apprised on International framework pertaining to child rights and significance of International Law, Domestic legal framework pertaining to child rights with a focus on child justice and Child sexual abuse (CSA), Child Forensic Communication and Juvenile Justice System Act, 2018. The trainees were apprised about SOPs for CSA cases improve the judges' capacities to proceed in court in line with international standards and counter secondary victimization of the child victim of CSA. They were also sensitized about SOPs for children in conflict with the law in order to improve their capacities to proceed in court in line with international standards

Objectives of the activity are:

- *Gaining conceptual clarity of national & international legal framework about child rights.*
- *Understanding child psychology.*
- *Unraveling jurisprudential questions involved in juvenile justice system laws*
- *Working out difficulties in the proper implementation of the new legal regime.*
- *To know the international legal framework about child rights*
- *Understanding guiding principles of juvenile justice*
- *Understanding child forensic communication*

and counter secondary victimization of the juvenile accused during trial and to familiarize the trainees with the concept of diversion and reformatory justice. Mock exercises were included in the training to enhance judges' skills to enforce those SOPs.

Ms Wadeeya Mushtaq Malik, AD&SJ, Peshawar shared her experience as presiding officer of the First Specific Child Court in Khyber Pakhtunkhwa. She explained the objectives of enforcing child protection regime meant to provide support services to children; and to develop effective co-ordination with staff, public prosecutor, probation officers, police, lawyers, and other stakeholders.

The training also included child forensic communication, SOPs for CSA cases, SOPs for children in conflict with the law. Finally, mock exercises were conducted. The training impacts were reflected in the evaluation questionnaire containing the contribution of the training in the knowledge of trainees and practical utility. The quality of the training was gleaned from the resource person's evaluation by the participants.

According to trainees' reviews, it was the achievement of the objectives for which the training was designed and conducted.

One day training for Court Staff of the offices of Sessions Courts

Worthy Peshawar High Court, Peshawar had established sub-registries of Peshawar High Court and its benches in the offices of District & Sessions Courts of their respective regions for institution of the cases of their respective districts. The Copying Agents of the District Courts were empowered to issue the certified copies from record of Peshawar High Court. Likewise, Superintendent of Sessions Courts were also empowered to administer oath pertaining to the institutions. Considering the need of capacity building of the staff, Worthy Peshawar High Court directed the Academy to conduct the trainings. Four training courses for the Court Staff of the offices of District Courts in province on the relevant practice and procedure were arranged by the Academy.

The training was imparted by the senior officials of administration of Peshawar High Court. Learned resources persons trained the Court Staff about the practices in securing the attested copies etc. They were also sensitized about the procedures in accessing to the database of the High Court.

2-day training for Police officials on Child Rights and Child Justice

Ms. Valerie Khan, Executive Director, Group Development Pakistan, shared her knowledge and experience. Besides, Mr. Sharafat Ali, Advocate gave an intensive discourse on different subjects. He imparted a comprehensive overview of the International Legal Framework on child rights. He pin-pointed the United Nations minimum standard for the administration of juvenile justice. Special focus of the training was on a comprehensive discussion of the domestic legal framework about the child rights and experience sharing session with the Presiding Officer of the first Child Protection Court in Khyber Pakhtunkhwa.

The trainees were apprised on International framework pertaining to child rights and significance of International Law, Domestic legal framework pertaining to child rights with a focus on child justice. The trainees were apprised about SOPs for CSA cases improve the investigator' capacities to investigate in court in line with international standards and counter secondary victimization of the child victim. Mock exercises were included in the training to enhance police' skills to enforce those SOPs.

Pre-Service Training of Civil Judges-cum-Judicial Magistrates: August, 2019

Four-week Pre-service Training for twenty-three newly inducted Civil Judges was arranged from 09 November to 8th December, 2020. This was the 4th Pre-service Training Batch of Civil Judge-cum-Judicial Magistrates, 2020. The training modules were based on the key concepts of knowledge, skills, and attitude (KSA). The Manual of Training 2015-16 with certain modification was followed. The main objective of the training is to equip the new entrants with the legal education, management skills and attitude requisites for efficacious running the judicial portfolio and to build their capacities. Efforts were made to create the course need-based, precise and practical. The schedule contained lectures on all the significant areas of civil and criminal law needed by the trainees in professional performance. These included precedents, land laws, court fee, and suit valuation, framing issues, framing charge, the law of evidence, criminal pre-trial proceedings, criminal trial, preventive jurisdiction of magistrate, Juvenile Justice System Act, private complaints, rent laws, family laws, High Court Rules and Orders and maintenance of judicial record. Theoretical and practical perspectives on the topics were uniformly blended; a first fortnight

of the training emphasizing on theory, and the second containing practical aspect of the court proceedings. Besides, the participants were imparted the skills of the case and court management. Lectures and presentations were research oriented and interactive sessions were also importance feature of the training. Mock trials, civil, criminal and family were purposefully included to familiarize the trainees about the practical implementation of the procedures and to handle the problematic areas during the court proceedings. Judicial conduct and ethical issues also remained in the focus. Mannerism and observance of etiquette constituted integral part of the training. Worthy Registrar, Peshawar High court delivered an extensive lecture on judicial conduct. Other resource persons were the experienced judicial officers.

Objectives of the Training:

- *To enhance the trainee' knowledge of jurisprudence and principles of natural justice;*
- *To impart skills to the trainees to efficiently align legal concepts to their professional duties;*
- *To impart efficient, practical and effective management and*
- *To inculcate in the trainees judicial decision making and judgment writing skills;*
- *To develop the fear of Allah (SWT) and ultimate accountability of judges.*

A significant component of the training was the visits to Archives Department, KP Forensic Science Laboratory. The visits had benefits for the participants in acquiring experiential learning, real-world experience, learning styles, and cultural insight.

On completion of the training, the trainees were expected to have become capacitated to effectively deal with complex judicial matter and acquired sufficient administrative and managerial skills to administer the court, manage the case-work and make judicious decision making. The participants, in their post-training evaluations, rated the training as excellent.



Online Trainings for newly promoted Senior Civil Judges: 5th Oct– 2nd Nov, 2020

Mandatory training has its own significance for enhancing professionalism. For newly promoted Senior Civil Judges, the need for such training is even more profound as the judicial officers assuming charge in this cadre are confronted with new and complicated human resource and financial management challenges.

Hon'ble the Peshawar High Court Peshawar by Notification No. P (a) 31-A/94-J dated 24th April, 2020 promoted 26 Civil Judges to the post of Senior Civil Judge. Notification of the Hon'ble Peshawar High Court, Peshawar No.5-J dated 20th December, 2003 prescribes 03 week mandatory training for Senior Civil Judges. Furthermore, Hon'ble Peshawar High Court, Peshawar directed the Academy vide Letter No. 21815/SDJ/PHC/HRW/06-V.I-2019 dated 11.11.2019 to devise training module for Senior Civil Judges and pressed upon the necessity of holding training for Senior Civil Judges as required under Rule 9 (4) of Khyber Pakhtunkhwa Judicial Service Rules. With this end in view, the Academy arranged one month online training for newly promoted Senior Civil Judges. The trainings were held in three sessions in December, 2020 and January, 2021.

Module of the training was devised by keeping in view the past practices, input of the participants. The recent directives of Worthy Peshawar High Court remained impetus for developing the Training Need Assessment. Another addition to the modules was the need of multi-dimensional duties assigned to the Senior Civil Judge and awareness-raising about the recruitment procedures, procurements, budgeting and planning & development. It was considered essential on the one hand to equip the senior civil judges with the ability to make suitable choices for the different posts and on the other hand to avoid technical pitfalls. Last but not the least, the first ever webinar was arranged on the subject of crisis management skills in the wake of recent pandemic.

The modules included financial management, procurements, office procedures, supervision of investigation, role of magistrates, succession certificates and Guardianship matter, Service Laws, recruitments rules, management of process

'The life values emanating from Socrates views comprise of:

- *To Hear Courteously,*
- *To Answer Wisely,*
- *To Consider Soberly, and*
- *To Decide Impartially.*

Mr. Abdullah, CS (Rtd), KP

servicing agency. Participants of the training were the newly promoted Senior Civil Judges.

Mr. Abdullah, Former Chief Secretary, Kyber Pakhtunkhwa, shared his knowledge and experience. He enlightened the participants about the human resource development and its essential components i.e. knowledge, skills, and attitude. He discussed the distinctions between the administrator and the leader, the courts of law and the courts of justice, the notion of justice and he finally emphasized the

“Online training was a novel idea for us all. As a whole it was a wonderful and fruitful experience. The modules and content of the courses were according to our need and new assignments.”

Participant’ Remarks

participants to have a clear vision for the future. Besides, other resource persons included Mr. Muhammad Zeb Khan(PSO to Hon’ble the Chief Justice), Mr. Ahmed Sultan Tareen, Member Inspection Team (MIT), Mr. Zia-ur-Rehman (Legal Draftsman), Mr. Zaem Ahmed (Director Human Resource & Welfare, Secretariat of District Judiciary, Peshawar High Court, Peshawar, gave intensive discourses on different subjects as per schedule. The officers of the Academy also shared their valuable experience.

Considering the administrative assignments of the Senior Civil Judges, the discourses included Human Resource Management, recruitments procedures, APT Rules, Financial Management & Budgeting, Audits, office procedures, Conduct of various Committees, and Judicial Accounts. Quality of the training was vividly gleaned from the resource person’s evaluation by the participants.

CHAPTER -4 RESEARCH WING

Besides providing judicial education, one of the aims and objectives of the Khyber Pakhtunkhwa Judicial Academy is to conduct research in the field of law and judicial studies. To achieve its objectives, the Academy has signed Letter of Agreement (LOA) with United Nations Development Fund (UNDP) to undertake the following research activities/consultancies.

- a. Draft Rules under the Code of Criminal Procedure, 1898.

- b. Analysis of Rule of Business of Human Rights Cell of Peshawar High Court, Peshawar.
- c. Design Training Evaluation System, Methodology and Recruitment System to evaluate Judicial Officers and their compulsory Training & Service Delivery.
- d. Development of System at the Khyber Pakhtunkhwa Judicial Academy to link the Academy' Training Database Performance Evaluation of Judicial Officers for their Career Progression.

Objectives of the Seminar:

- a. The activity is designed to browse upon the conceptual framework of the worked out rules;***
- b. To get the feedback of the stakeholders of justice system on the same;***
- c. To learn from the experiences and expertise of the participants in relation to ADR Rules and functioning of mediation centers.***

4.1 One-Day National Seminar on the Draft Rules worked out under section 89-A of the Code of Civil Procedure, 1908

In pursuance to directive of the Committee constituted by Worthy Peshawar High Court, a Seminar was arranged to secure feedback from bar and judicial officers on the draft rules worked out for the requirement of Section 89-A of Cod of Civil Procedure, 1908. With collaboration of UNDP, the Academy held such seminar on Thursday, 27th February, 2020. The participants included Judges, nominees of all District Bar Associations of the province, Registrar, Sindh High Court, nominee of Lahore High Court, nominee of Punjab Judicial Academy, Incharge Mediation Center Attock (Punjab), nominees of NGOs and media persons. Dr. Shakeel Azam Awan, Dean Faculty, KPJA as chairperson of the working out Committee presented the draft rules. That followed Panel Discussion and the participants' recommendations. Detailed report of the seminar is available on the official website of the Academy.

The inaugural session, anchored by Mr. Ahmed Ifikhar, Director Instructions-II commenced with the recitation from the Holy Quran. In the welcome address, Director General, KPJA expressed his gratitude to all the participants for their attendance and thanked UNDP on financial support for the seminar. Dr. Shakeel Azam Awan, Dean Faculty, KPJA as chairperson the Committee for working out the draft rules on ADR gave an extensive briefing on the rules. He gave an extensive briefing on the rules.

He stated that delay, complex nature of procedure and expensiveness of litigation are the major reasons for this decay and generally judiciary is held accountable for such delays and back-log. He added that highlighted the need for the rules required for ADR. He pressed for the need to think how to make the system less complex, how to curtail the delays, how to save the parties against odds like expensiveness and how to create a system where frivolous litigation would be avoided. He presented the worked out rules and explained the underlying justifications.

The Academy had had feedback from district judiciary and district bar associations of the province on the draft rules. Their feedback was reviewed. The Academy had accordingly formulated such reservations into statements, interrogative or otherwise for being placed before this august house for deliberation and recommendations.



Afterward, the Open house deliberations followed by a Q&As session was conducted. The house raised questions on various aspects of the draft rules, which were answered by the penalists. Subsequently, four groups were formed for separate deliberations on the given agenda. After thorough consideration, they formulated their respective recommendations. The recommendations were presented by the group nominees. The seminar was concluded with address by Chief Guest Mr. Muhammad Zubair, MIT and followed by certificate distribution.

4.2 Two-days Consultative Seminar of SOPs for Virtual Courts

Peshawar High Court has envisioned establishment of virtual courts for providing the modernized facility to the public at large and particularly to facilitate the vulnerable segments i.e. the children and the remotely located parties/witness. Intent and need to constitute such court has always been there, and 1 Section 29 (1) of the Act XXVII of 2020 2 Section 29 (4) of the Act XXVII of 2020 3 reflected in various verdicts of worthy superior courts. In case titled ‘Muhammad Israr vs The State etc’³ (hereinafter referred to as the ‘judgment’), Hon’ble Peshawar High Court has provided certain guidelines for conducting

proceeding between trial court and place where witness shall appear. This verdict envisaged examination of witness through video link in case of inability or vulnerability of the witness to appear before the Court subject to relevant provision(s) of Procedural, Penal Codes and Qanoon-e-Shahadat Order, 1984; and paved the way to virtual court proceedings. SOPs were intended to be formulated to regulate the proceedings effectively and with certainty, placement of uniform procedures.

Objective of the Seminar was to suggest improvement or necessary modification in the draft SOPs designed by Hon'ble Peshawar High Court. Areas under consideration e.g. involving all court users, articulating their needs and concerns, observing courtroom behavior, and proposing possible solutions, could deliver the advantages of video while resolving stakeholders' concerns.

In the two days consultative seminar, multi-stakeholders participated to review the draft SOPs for the virtual courts including the officials of the PHC, the KP Judicial Academy, members of District Judiciary. Representatives of various departments including Police, Prosecution, Prison, Social Welfare Departments, KP IT Board and Lawyers also participated to discuss the draft SOPs.

Objectives of the Consultation

- (a) Examine whether the draft SOPs were in line with the principles of rule-making and did not disregard or violate the Constitution, law, or any judgment of the superior court?***
- (b) Consider the desirability of such SOPs; and***
- (c) Examine whether any further legal requirements are to be compiled with?***

In the inaugural session, Mr. Zia-ud-Din Khattak, the worthy Director General KPJA delivered welcome speech to the participants in which the essence of virtual courts was highlighted. Mr. Jakhongir Khaydarov UNDP AOI Manager, as a representative of UNDP participated in the inaugural session through video link. He explained that UNDP Pakistan's Supporting Rule of Law for Peaceful, Just and Inclusive Societies in Pakistan (*Amn-o- Insaf*) is currently engaged with PHC in piloting the virtual courts in the province of Khyber Pakhtunkhwa.



The inaugural session was followed by a panel discussion. This discussion was facilitated by Advocate Sharafat Ali Chaudhry, the Consultant for UNDP. The panel was chaired by Syed Kamal Hussain Shah Dean KPJA. Among other distinguished panelists were Mr Abid Sawar, Additional Registrar PHC, Mr Muhammad Younis Khan District and Sessions Judge, Peshawar, Mr. Asif Khan, District and Sessions Judge, North Waziristan. Mr. Abid Sarwar, the Hon'ble Additional Registrar, Peshawar High Court, explained the objectives and contents of the draft SOPs. He highlighted that the concept of virtual courts or court proceedings from a remote point was not a novel concept for the Peshawar High Court (PHC), as the Peshawar High court had already established its benches for virtual hearing at two districts Kohat and Mardan. He encouraged the participants to the critically review the draft SOPs and give suggestions for its improvement. The panelists highlighted various provisions which expressly provide for use of modern means, i.e. video conferring for court proceedings. For a thorough review of the draft SOPs for the Virtual Courts, while moderating the discussion, Advocate Mr. Sharafat Ali Chaudhry posed certain questions and points for the consideration of participants.



To consider the above stated questions and to further review the contents of draft SOPs, three groups of participants were formed on the day first. The participants deliberated exhaustively, reviewed each section of the SOPs and formed their recommendation.



On day second, the consultation seminar began with by recalling the discussion held on the first day, followed by panel discussion. The participants were divided into three groups to review the contents of SOPs in light of panel discussion as well as the commendations presented by the IT Expert of PHC. All three groups discussed exhaustively each provision of the draft SOPs and formed their comments and recommendations. The recommendations of each of groups were then finalized through whole group discussion. The report of Consultant is available on the Academy's website.

Constitution of the Technical Working Group (TWG)

On receipt of the Consultant' report, a Technical Working Group (TWG) was constituted by Director General, KPJA for vetting of the Rules/SOPs. Two sessions of the TWG were held, wherein the member had actively participated and gave their valuable input on the subject within the prescribed mandate. The modified version of the Draft Rules was shared with the members and they endorsed its accuracy. All the members agreed to submit the Draft Rules to learned Director General for onward submission to Worthy Peshawar High Court.



After completion of the proceedings of TWG, the vetted Rules were shared with the Consultant. The Consultant furnished the finally vetted version and the same was submitted to worthy Peshawar High Court, Peshawar.

4.3 Seminar on Feasibility & Effectiveness of Release Warrant through E-modes

One-day Consultative Seminar on Feasibility & Effectiveness of Release Warrant through Electronic Modes held on 23rd December, 2020 in the Khyber Pakhtunkhwa Judicial Academy. The activity was conducted under directive of Worthy Peshawar High Court, Peshawar conveyed vide letter No.SDJ/PHC/REG/64-(A)-V-III-2020/4603 DATED 04/12/2020, on the initiative of learned District and Session Judge Swat who opined for use of email for release warrants as effective mode.



The session was envisaged to deliberate on the possible challenges in the effective enforcement and expeditious transmission of the release warrant in the existing legal regime. Legal and technological issues involved were intended to be threadbare analyzed, followed by recommendations for the future course of action. The activity was devised for open-house discussion to seek input of all the stakeholders and formulation of the recommendations about the proposal on its basis. The participants comprised of the experts from all justice sector stakeholders including the professionals from the IT. The participants included Senior Sessions Judges, Prosecutors, representatives of Home & Tribal Areas Department, Principal Officers of Peshawar High Court, Representatives of Police Department, Representatives of Prison Department, Officers of the KP Judicial Academy, IT Experts of Peshawar High Peshawar and Khyber Pakhtunkhwa Judicial Academy.

Objectives

Objectives of the activity included:

- 1. Examination of existing legal regime as to legality of transmission of warrants in electronic mode;*
- 2. Deliberating the feasibility and effectiveness of warrant transmission in electronic form;*
- 3. Deliberations on strengthening the present regime of transmission of warrants either by warrants transmission in electronic form or any other method ; and*
- 4. The draft SOPs or rules for changes in High Court Rules and Orders and or the Prison Rules.*
- 5. Any other issue/question raised by the participants.*

The expected outcome of the Seminar was to get understanding of the conceptual clarity of the extant legal regime of transmission of warrants and the possibility of alternate or additional methods; to attain the conceptual intelligibility on the feasibility and effectiveness of different methods especially the electronic modes for swift communication of release warrants; and to make recommendations on the subject for future course of action.

Mr. Zia-ud-din Khattak, Director General formally welcomed the participants. He highlighted the *raison d'être* i.e. the purpose, intent, and need of this consultative seminar. He pin-pointed the importance of the activity as the recommendations based on candid views of the participants about the proposal may float proposals for modification/amendments in the relevant rules.

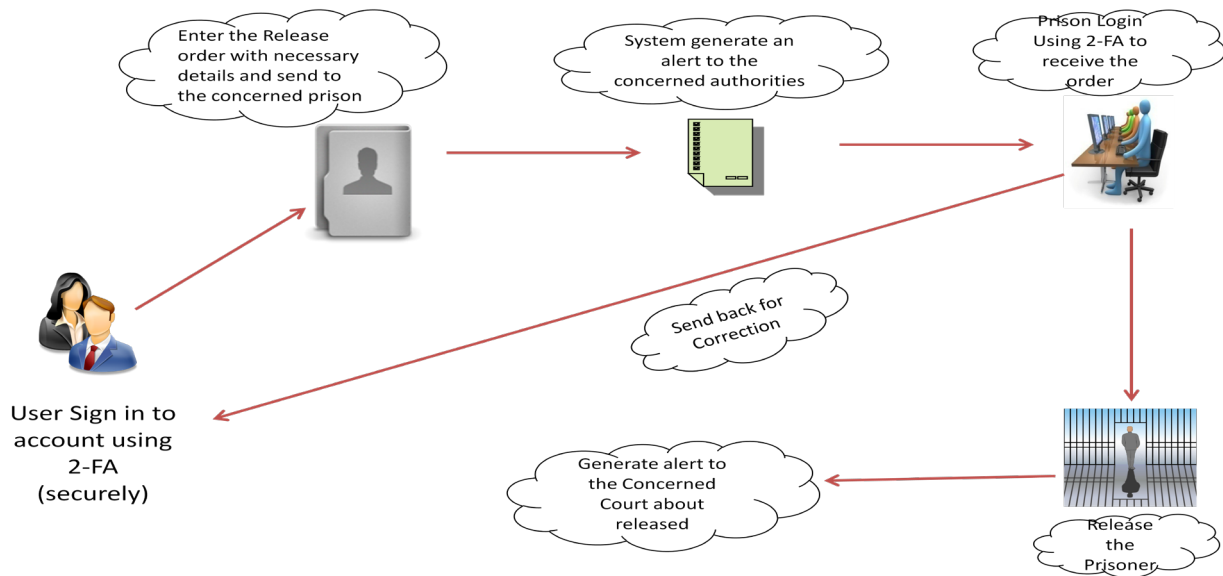
Muhammad Shoiab Khan, learned D&SJ Swat presented an overview of the proposed modality of the effective and prompt transmission of release warrants through email. He presented the background for the idea and explained the *raison de'ter* of floating the proposal by quoting various instances narrating difficulties faced by public litigants and



malpractices involved during the manual process. He, reiterating the importance and vital roles of all stakeholder, emphasized the switching over to the modern modalities for effective and efficacious performance. He drew attention of the house about obsolete mode of manual transmission of release warrant and pressed for conversion to electronic mode which would lead to simplification of the process.

Following him, Syed Kamal Hussain Shah learned Dean Faculty made a brief presentation depicting the objectives of the seminar, highlighting the vital areas of concern of the subject matter and expectation from the participants pertaining to the outcome of the activity. Subsequently, an open-house discussion was generated, wherein view points of all the participants were recorded.

Mr. LalShad Director, IT, Peshawar High Court made presentation regarding the establishment of secured seamless communication between the Courts and Prisons throughout the province. He presented the proposed Release Warrant Digital Messenger (RWDM) for transmission of data/documents between the stakeholders i.e. the Court and Prison. Mr. LalShad stated that a web-based application will be developed having its server located at Peshawar High Court, accessed through secured connectivity i.e. Virtual Private Network (VPN) by the stakeholders. He enlightened the participants that two dashboards will be developed for monitoring purposes; One for Peshawar High Court (PHC) and the other for the office of Inspector General Prison. He emphasized the use of modern technologies, and awareness regarding the important steps in mitigating the possible risks to the institutions. The presentation was followed by the question answers session in which the presenter addressed all the queries asked by the participants.



In the final session, Ms. Nusrat Yasmin Intikhab, learned District & Sessions Judge presented the collective recommendations of the participants. The recommendations were subsequently furnished to Peshawar High Court, Peshawar.



One Day Consultative Seminar on Role of Prosecutors

Ensuing to the decision taken in the meeting held in the Academy on 04th November, one-day Consultative Session for Public Prosecutors of Khyber Pakhtunkhwa on 14th November, 2020. The participants were the prosecutors nominated by the Home Department. Funding of the activity and arrangement of resource person was made by SHARP. The areas under deliberation were ‘National and international laws on Human Rights, International Protection and Gender Based Violence in Pakistan’. Special focus of

the activity was on rights and protection of the refugees. The discourse aimed at promotion and encouraging indiscriminate respect for human rights. A session was also included on Solution Strategy for Afghan Refugees to provide an opportunity to the Prosecutors to learn about Government' stance and policies relating to the Refugees and to make them well-versed with the policies. Focusing on the structural elements of existing human rights, the Session also aimed to ensure employment of international standards of fairness and due process of law in the trials. The participants were sensitized about the functioning of the international human rights protection system.



Publication of Newsletter

Pursuant to the proposal/direction of Worthy Director General in the meeting dated 16th June, 2020 of the officers of the Academy for publication of a newsletter, the Research Wing after collecting the relevant material from the concerned branches of the Academy published the first newsletter. The first issue contains the informations pertaining to the period January to June, 2020 because the training and other activities were suspended for a considerable period due to the pandemic of Covid-19. This newsletter covered a period of six months.

Analysis of the Research Papers authored by Judicial Officers

In compliance of the directives of the Hon'ble Peshawar High Court contained in letter No. AJP/HC/43-A-37/2004 dated 21-04-2004 and letter No. SDJ/PHC/REG/26-V-II-(1-34)/5522 Dated Peshawar the 07-10-2019, research papers/articles scribed by learned Judicial Officers are being received for research analysis. The Research Wing is analyzing/scrutinizing the work/writings in accordance with the prescribed SOPs. The research papers were shared for peer review with the Principal, Law College, and the approved papers will be published on the Academy's website and in the journal in due course

upon completion of the process. Preparatory arrangements for publication of the Journal are under process.

CHAPTER -5 INFORMATION & COMMUNICATION TECHNOLOGY

5.1 IT Facilities & its Utilization in the Academy

The Khyber Pakhtunkhwa Judicial Academy is equipped with state-of-the-art Information Technology (IT) infrastructure. All the offices, class rooms, auditorium and computer lab are connected with local area network (LAN). Wi-Fi facility is also available in the Academy to facilitate the trainee participants and it provides open access to all. The Academy has its official website which is regularly maintained, updated and improved through the official web developer of the Academy. The catalogue of the library is automated and its software is indigenously programmed at the Academy. This catalogue is uploaded to the website and is accessible to the general public. Similarly, an asset tracking system has also been designed and programmed by the Academy's programmer. It keeps track of all movable assets of the Academy and it is updated through barcode readers. The IT wing has also developed a prototype of training database called the activity management system (AMS) with separate module meant for evaluation. It regularly updates the training profiles of both trainers and trainees. This system works on online evaluation through randomly sorted multiple choice questions. Through this module, both the trainees and the trainers can be objectively evaluated. The IT wing has also designed a payroll software, which is operative at the elementary level.

In pursuance of the decision taken in the second meeting of the IT and Media Committee, follow up was made as under:

Mr. Zulfiqar Khan and Mr. Arman Khan participated in the training program. DVR purchased for connectivity to PolyCom device was installed. Development of e-office for the Academy was under progress.

5.2 Library, Collection Development and Enhancement

Khyber Pakhtunkhwa Judicial Academy has a state-of-the-art library. The library catalogue is enriched with 3500 books, periodicals, journals, research studies and other reading materials. The reading room and collections are available to the faculty members, participants of training courses and employees of the Academy, researchers, among others, during regular library hours. Library staff is at service of the participants/learners. The library has access to Digital Library of HEC, PLD law-site and PLJ journals. Fifty (50) general links are also available on the Academy's website, and through such sources more than 5000 books can be accessed.

CHAPTER -6 RADIO MEEZAN FM 96.6

The role of media in information sharing is growing spectacularly with recognition of the right to information and fundamental rights enshrined in the Constitution of the Islamic Republic of Pakistan, 1973. Among the mass media in recent time, role of FM radio is undeniable. The FM radio provides easy, inexpensive and frequent accessibility to the media, which raises the level of public expectations. The public has right to know about such information from key public sector institutions, which has an impact on their lives. As a non-commercial non-political facility, Radio Meezan operates under the PEMRA Rules. The transmission frequency allotted to the Radio is FM 96.6. The coverage of the Radio is presently extended to district Peshawar and the adjacent areas. It shall be extended to the whole province of Khyber Pukhtunkhwa in due course of time.

Objectives of Radio Meezan

- *Awareness among citizens about fundamental human rights.*
- *Awareness among citizens about their rights and responsibilities in the existing system of law.*
- *Awareness about rights of children, and minorities, women and weaker segments of society.*
- *Encouraging access to Human Rights Directorate of the Peshawar High Court.*
- *Public forum to seek legal advice on solution of disputes.*
- *Acquainting citizens with the laws, rules and regulations of the country.*
- *Educate and interpret public about the country's legal system.*

6.1 Programs Format

News Bulletins

Radio Meezan broadcasts news bulletins on 10 minutes in Pashto and Urdu.

News reports

It consists of the news about courts proceedings, human rights issues, functions of Khyber Pakhtunkhwa Judicial Academy, International days e.g. Labor Day, Women Day etc.

News Packages

The news packages include law and courts related stories, seminars, workshops, trainings, visits, inaugurations and reports of the academic activities of the Academy.

Coverage

The Transmission on Radio Meezan FM 96.6 can be heard in Peshawar and its suburbs. Radio Meezan operates its transmission on 50 Watt, as per PEMRA rules and license.

03:00 pm to 07:00 pm

Discussion/ Lecture Forum

At various discussion forums, lectures are delivered by renowned lawyers, jurists and constitutional experts on law related topics.

Live Presentation

Interacting with audience on law related issues, phone lines are open during such programs, where audience can not only give their input but can also seek legal advice of the legal expert on the subject.

6.2 Miscellaneous Program Segments

- Imparting general knowledge about the legal system of Pakistan;
- Interesting historical moments about law;
- Quizzes about legal systems;
- Socio-cultural and economic activities.

CHAPTER-7 DEVELOPMENT SECTOR

By the grace of Allah subhan-wa-ta'alah, furnishing of hostel of the Academy was finally completed. Hon'ble the Chief Justice / Chairman, KPJA graciously approved the model room / furniture provided by Pak-German Wood Working Center. Installation of the Air Conditioners & CCTV and landscaping has been recently completed. Procurement of the furniture and other equipment has also been processed. It is expected that the building will

be handed over to the Academy and made functional at the end of 2020. Payment of Rs. 7.5 million from the revenue component was made to Pak-German Wood Working Center for supply of furniture for the hostel in one month time period after getting approval of Hon'ble the Chairman, KP Judicial Academy.



Academy' Hostel Inaugurated

On 26.09.2020 the Academy' hostel was inaugurated by Mr. Justice Waqar Ahmed Seth, Hon'ble the Chief Justice / Chairman, KPJA. Addressing on the occasion, Justice Seth said the hostel was earnestly required since the establishment of the Academy in 2012 as the officials receiving training had to be provided accommodation in hotels and private hostels. He thanked the Khyber Pakhtunkhwa government for timely provision of funds for the project, and hoped the government would also assist the high court in early completion of other pending project. He hailed the performance of the academy's director general and other staff as well as government officials involved in the project.

Besides, pursuant to the directions of hon'ble the Chairman the matter of maintenance and repair of the Academy was taken up with Provincial Government vide letter No. 1681/KPJA dated 12-12-2019. In the Finance Committee meeting held on 27.04.2020, a sum of Rs. 4.307 million was recommended under the head " Repair and Maintenance of Office Building (A-13301)" in the budget estimate of the Academy for financial year 2020-21. The matter was placed before the Board of Governors in the 11th meeting of Board of Governors held on 12.06.2020 under Agenda No. 7 i.e. Rehabilitation, Repair & Maintenance, and the Board graciously approved the proposal. Consequent to the decision, the requisite PC-I drawn up by the KP Communication & Works Department was placed before Departmental Development Working Party (DDWP) Peshawar High Court, Peshawar for sanction.

ADMINISTRATIVE ARRANGEMENTS

1. On completion of tenure of **Mr Muhammad Bashir**, District & Sessions Judge (Rtd) in March, **Mr Zia-ud-din Khattak**, District & Sessions Judge (Rtd) was appointed as Director General, KPJA.
2. **Mr. Ghulam Abbas**, Additional District & Sessions Judge was posted as Director (Research & Publications) and subsequently posted as Senior Director (Research & Publications) on his promotion.
3. **Mr. Mohammad Farooq** was posted as Research & Publication Officer on 3rd of February, 2020.
4. **Dr. Shakeel Azam Awan**, Dean Faculty stood retired from service after achieving his superannuation on 9th of April, 2020.

5. **Mr. Syed Kamal Hussain Shah**, District & Sessions Judge assumed the charge of Dean Faculty on 11-05-2020.
6. **Mr. Azhar Ali**, District & Sessions Judge assumed the charge of Station Director.

CHAPTER-7

ANNUAL BUDGET

REVISED ESTIMATES FOR 2019-20 AND BUDGET ESTIMATES FOR 2020-21					
	Budget Estimates 2019-20	Actual from 01.07.2019 to 31.12.2019	Requirement for 01.01.2020 to 30.06 2020	Revised Estimates 2019-20	Budget Estimates 2020-21
A. Receipts					
i. Opening Balance on 01.07.2019/2020	13,182,000	38,720,893	-	38,720,893	31,456,000
ii. Grant-in-Aid from Provincial Govt.	152,808,000	30,250,000	90,750,000	121,000,000	158,374,000
iii. KPJA own Receipts, etc	7,510,000	4,388,892	4,420,010	8,808,902	8,870,000
iv. Bank Profit	2,500,000	1,529,351	1,593,854	3,123,205	3,200,000
Total:	176,000,000	74,889,136	96,763,864	171,653,000	201,900,000
B. Expenditure					

A01-Employee Related Expenses	141,800,000	42,106,889	65,972,111	108,079,000	160,905,000
A02-Project Pre-Investment Analysis	201,000	-	2,000	2,000	21,000
A03-Operating Expenditure	19,441,000	8,013,223	11,623,777	19,637,000	22,063,000
A04-Employees Retirement Benefits	5,500,000	1,294,044	1,259,956	2,554,000	5,500,000
A05-Grants, Subsidies and Other (Financial Assistance)	1,000,000	-	10,000	10,000	1,000,000
A06-Transfer Payments	2,300,000	8,225	6,699,775	6,708,000	2,300,000
A09-Physical Assets	3,831,000	91,500	1,016,500	1,108,000	3,931,000
A11-Investment	-	-	-	-	-
A12-Building & Structure	10,000	-	1,000	1,000	10,000
A13-Repair & Maintenance	1,917,000	995,266	1,102,734	2,098,000	6,170,000
F02101-Permanent Advance	-	-	-	-	-
Total Expenditure:	176,000,000	52,509,147	87,687,853	140,197,000	201,900,000

Surplus/Closing Balance				31,456,000	
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Additional Accounts

- In pursuance of recommendations inked by the Finance Committee of the Academy held on 28.03.2019 and after approval by the Board of Governors of the Academy in the 9th meeting held on 22.04.2019, Finance Department, Government of Khyber Pakhtunkhwa agreed to release funds amounting **Rs. 121.000 million** as **grant-in-aid** for the current financial year 2019-20.
- During 2019, a sum of **Rs. 5,765,702/-** was earned from trainings, workshops and seminars. After approval of Hon'ble the Chief Justice, PHC/Chairman, the earning along with some of the balance of **Rs. 6,600,000/-** was transferred to Endowment Fund in March, 2020 for strengthening the same.
- A profit of **Rs. 20,736,000/-** is expected from the investment made by the Academy towards Endowment Fund kept in Bank of Khyber, PHC Branch, Peshawar.

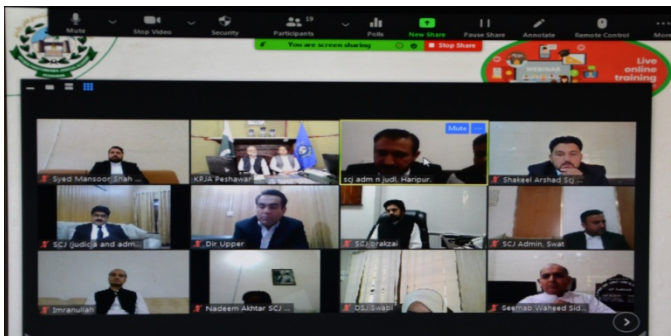
YEAR 2019 AT A GLANCE





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KHYBER PAKHTUNKHWA JUDICIAL ACADEMY
Two-Day Training on Gender Based Violence (GBV) Laws
 held on 23-24 June, 2020.



Group Development Pakistan



KHYBER PAKHTUNKHWA JUDICIAL ACADEMY
Two-Day Training For Newly Inducted Lawyers Across KP Province
 held on 08-09 July, 2020.





KHYBER PAKHTUNKHWA JUDICIAL ACADEMY

01 Day Training of the Superintendents, Copying Agents and Computer Operators of the offices of the District & Sessions Judges in the Province on the 'Practice and Procedure' of Newly Established Sub-Registries of Peshawar High Court, Peshawar on 19th August, 2020. (D.I Khan & Bannu Bench)



KHYBER PAKHTUNKHWA JUDICIAL ACADEMY

02-Day Training Course for Newly Inducted Lawyers on Professional Responsibilities and Legal Ethics held on 16-17 September, 2020.



Sitting L to R Mr. Wahid Khan, Ms. Shabana Tanoli, Ms. Uzama Mukhtiar Ahmad, Mr. Muhammad Farooq (RO), Mr. Ahmad Iftikhar (D.I-II), Syed Kamal Hussain Shah (Dean Faculty). Mr-



KHYBER PAKHTUNKHWA JUDICIAL ACADEMY

Two-Days Training Workshop for Police Officials on Child Rights, Protection & Justice with Children from 18-19 November, 2020.



Group Development Pakistan



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KHYBER PAKHTUNKHWA JUDICIAL ACADEMY

Pre-Service Training for Newly Appointed Civil Judges-cum-Judicial Magistrates/ Illaqa Qazies held from 11th Nov to 08 Dec 2020.





KHYBER PAKHTUNKHWA JUDICIAL ACADEMY

02-Day Consultative Seminar on the Draft SOPS of the Virtual Courts
25-26 November, 2020



KHYBER PAKHTUNKHWA JUDICIAL ACADEMY

01 Day Consultative Seminar on Feasibility and Effectiveness of Release
Warrant through e-mail on 23rd December, 2020.





Khyber Pakhtunkhwa Judicial Academy

Professionalism, excellence & diversity



Khyber Pakhtunkhwa Judicial Academy

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