

# Administrative Tribunals and Special Courts

Annual Reports 2002



NATIONAL JUDICIAL POLICY MAKING COMMITTEE

©2003 National Judicial (Policy Making) Committee  
*This Annual Report is published by the Secretariat of the  
Law and Justice Commission of Pakistan*

This report can be viewed at the Law and Justice Commission of Pakistan website <http://www.ljcp.gov.pk>. Comments and suggestions may be sent to the Secretariat of the Law and Justice Commission of Pakistan, Supreme Court Building, Islamabad. Tel: 051-9220483 Fax: 051-9214416 email: [ljcp@ljcp.gov.pk](mailto:ljcp@ljcp.gov.pk).

# Contents

<b>1</b>	<b>FOREWORD</b>	<b>1</b>
<b>2</b>	<b>INCOME TAX APPELLATE TRIBUNAL</b>	<b>5</b>
2.1	The Tribunal and its Performance . . . . .	5
2.1.1	The Tribunal and its Benches . . . . .	5
2.1.2	ITAT Procedure . . . . .	5
2.1.3	Performance: Consolidated for Last Five Years . . . . .	5
2.1.4	Performance: Individual Benches for Last Five Years . . . . .	6
2.2	ITAT Budget . . . . .	7
<b>3</b>	<b>ENVIRONMENTAL PROTECTION TRIBUNALS</b>	<b>11</b>
3.1	The Tribunals and Their Performance . . . . .	11
3.1.1	The Tribunals . . . . .	11
3.1.2	Performance . . . . .	11
3.2	Procedure of the Tribunals . . . . .	11
3.3	Annual Budgets of the Tribunals at Karachi and Lahore . . . . .	12
<b>4</b>	<b>INSURANCE APPELLATE TRIBUNAL</b>	<b>15</b>
4.1	The Tribunal and its Performance . . . . .	15
4.1.1	The Tribunal . . . . .	15
4.1.2	Performance . . . . .	15
4.2	Procedure of the Tribunal . . . . .	15
4.3	Budget of the Tribunal . . . . .	16
<b>5</b>	<b>CUSTOMS, EXCISE &amp; SALES TAX APPELLATE TRIBUNAL</b>	<b>19</b>
5.1	The Peshawar Bench . . . . .	19
5.1.1	Performance . . . . .	20
5.1.2	Budget . . . . .	20
5.2	Islamabad Benches . . . . .	20
5.2.1	Islamabad Benches I and II: Performance 1995–2002 . . . . .	20
5.2.2	Bench I: Budget and Members . . . . .	21
5.2.3	Bench II: Budget and Members . . . . .	21
5.3	Lahore Benches . . . . .	22
5.3.1	Lahore Bench I . . . . .	22
5.3.2	Lahore Bench II . . . . .	23
5.4	Karachi Benches . . . . .	23
5.4.1	Karachi Bench I . . . . .	23
5.4.2	Karachi Bench II . . . . .	24
5.4.3	Karachi Bench III . . . . .	24
<b>6</b>	<b>SERVICES TRIBUNALS</b>	<b>27</b>
<b>7</b>	<b>SPECIAL COURTS (CONTROL OF NARCOTIC SUBSTANCES)</b>	<b>31</b>
7.1	The Special Courts . . . . .	31
7.2	Special Courts (CNS): Performance . . . . .	31
7.3	Special Courts (CNS): Budget . . . . .	32

<b>8</b>	<b>BANKING COURTS (RECOVERY OF LOANS)</b>	<b>35</b>
<b>9</b>	<b>SPECIAL COURTS (OFFENCES IN BANKS)</b>	<b>39</b>
9.1	The Special Courts . . . . .	39
9.2	Special Court (Offences in Banks) Karachi . . . . .	39
9.3	Special Court (Offences in Banks) Lahore . . . . .	39
9.4	Special Court (Offences in Banks) Peshawar . . . . .	40
<b>10</b>	<b>SPECIAL COURTS (CUSTOMS, TAXATION &amp; ANTI-SMUGGLING)</b>	<b>45</b>
10.1	The Special Courts . . . . .	45
10.2	Special Court (Customs, Taxation & Anti-Smuggling) Karachi . . . . .	45
10.3	Special Court (Customs, Taxation & Anti-Smuggling) Lahore . . . . .	45
10.4	Special Court (Customs, Taxation & Anti-Smuggling) Peshawar . . . . .	46
10.5	Special Court (Customs, Taxation & Anti-Smuggling) Rawalpindi/Islamabad . . . . .	48
<b>11</b>	<b>SPECIAL JUDGES (CENTRAL)</b>	<b>51</b>
11.1	The Special Judges . . . . .	51
11.2	Special Judge (Central) I, Karachi . . . . .	51
11.3	Special Judge (Central) II, Karachi . . . . .	51
11.4	Special Judge (Central) Hyderabad . . . . .	52
11.5	Special Judge (Central) Multan . . . . .	52
11.6	Special Judge (Central) Lahore . . . . .	53
11.7	Special Judge (Central) Faisalabad . . . . .	53
11.8	Special Judge (Central) Rawalpindi . . . . .	54
11.9	Special Judge (Central) Peshawar . . . . .	54
<b>12</b>	<b>DRUG COURTS</b>	<b>59</b>
12.1	The Drug Courts . . . . .	59
12.2	Drug Court Karachi . . . . .	59
12.3	Drug Court Quetta . . . . .	60
12.4	Drug Court Gujranwala . . . . .	60
12.5	Drug Court Multan . . . . .	60
12.6	Drug Court Peshawar . . . . .	61
12.7	Drug Court Lahore . . . . .	61
12.8	Drug Court Faisalabad . . . . .	62
12.9	Drug Court Rawalpindi . . . . .	62
12.10	Drug Court Bahawalpur . . . . .	63
<b>13</b>	<b>ANTI-TERRORISM COURTS</b>	<b>67</b>
13.1	Anti-Terrorism Courts in the Punjab . . . . .	67
13.1.1	Anti-Terrorism Court No. 1, Lahore . . . . .	67
13.1.2	Anti-Terrorism Court No. 2, Lahore . . . . .	67
13.1.3	Anti-Terrorism Court No. 3, Lahore . . . . .	67
13.1.4	Anti-Terrorism Court No. 4, Lahore . . . . .	68
13.1.5	Anti-Terrorism Court No. 1, Gujranwala . . . . .	68
13.1.6	Anti-Terrorism Court No. 2, Gujranwala . . . . .	68
13.1.7	Anti-Terrorism Court No. 1, Rawalpindi . . . . .	68
13.1.8	Anti-Terrorism Court No. 2, Rawalpindi . . . . .	69
13.1.9	Anti-Terrorism Court Sargodha . . . . .	69

13.1.10	Anti-Terrorism Court Faisalabad	69
13.1.11	Anti-Terrorism Court Bahawalpur	69
13.1.12	Anti-Terrorism Court No. 1, Multan	70
13.1.13	Anti-Terrorism Court No. 2, Multan	70
13.1.14	Anti-Terrorism Court D.G. Khan	70
13.2	Anti-Terrorism Courts in the NWFP	71
13.2.1	Anti-Terrorism Court Bannu (May, 2002 to 31st July, 2003)	71
13.2.2	Anti-Terrorism Court D. I. Khan (May, 2002 to 31st July, 2003)	71
13.2.3	Anti-Terrorism Court Kohat (May, 2002 to 31st July, 2003)	75
13.2.4	Anti-Terrorism Court Peshawar (May, 2002 to 31st July, 2003)	75
13.2.5	Anti-Terrorism Court Mardan (May, 2002 to 31st July, 2003)	76
13.2.6	Anti-Terrorism Court Swat (May, 2002 to 31st July, 2003)	77
13.2.7	Consolidated Position for NWFP	78
13.3	Anti-Terrorism Courts in Balochistan	78
13.3.1	The ATCs and Their Presiding Officers	78
13.3.2	Consolidated Position for ATCs in Balochistan From 01.04.2002 TO 31.12.2002	79
13.3.3	Budget	79
<b>14</b>	<b>ACCOUNTABILITY COURTS</b>	<b>83</b>
14.1	Rawalpindi/Islamabad Accountability Court No. I	83
14.2	Rawalpindi/Islamabad Accountability Court No. II	83
14.3	Rawalpindi/Islamabad Accountability Court No. III	84
14.4	Rawalpindi/Islamabad Accountability Court No. IV	84
14.5	Lahore Accountability Court No. I	85
14.6	Lahore Accountability Court No. II	85
14.7	Lahore Accountability Court No. III	85
14.8	Lahore Accountability Court No. IV	86
14.9	Lahore Accountability Court No. V	86
<b>15</b>	<b>LABOUR COURTS</b>	<b>89</b>
15.1	Labour Courts in Sindh	89
15.1.1	The Constitution of the Labour Courts	89
15.1.2	The Function and Procedure of Labour Courts in the Province of Sindh	89
15.1.3	Consolidated Statement for Caseloads: 31.12.1997 to 31.8.2003	91
15.1.4	Budget Grants From the Year 1997-98 to 2002-03	91
15.2	Labour Courts in the NWFP	92
15.2.1	Peshawar Labour Court	93
15.2.2	Mardan Labour Court	94
15.2.3	Bannu Labour Court	96
15.2.4	Haripur Labour Court	96
15.2.5	D. I. Kahn Labour Court	97
15.2.6	Swat (Saidu Sharif) Labour Court	97



# 1 FOREWORD

It gives me great pleasure to publish the first report on the Administrative Tribunals and Special Courts in Pakistan. Annual reports for the Superior Courts, namely the Supreme Court of Pakistan, Federal Shariat Court and four High Courts have already been published. The present report is unique insofar as it presents an overview of the various Tribunals and Special Courts functioning in the country. The truth of this statement comes forth when one attempts to compile a comprehensive list of a multitude of these Tribunals and Special Courts; a daunting task indeed. Presenting a catalogue of these Courts along with useful information pertaining to them is, therefore, expected to prove highly useful. This report, like the other reports published by the National Judicial (Policy Making) Committee, will show how the Courts in the country are striving to provide to the public greater and swift access to justice, and this with limited resources and in the face of ever-emerging problems. This report will provide vital data to all stakeholders, who may wish to participate in enhancing the performance of the courts through their ideas and suggestions.

The publication of the annual reports of all the Courts and Tribunals in the country is a function of the newly formed National Judicial (Policy Making) Committee (NJPMC). The NJPMC is headed by Chief Justice of Pakistan, who is the Chairman of the Committee, and comprises the Chief Justice, Federal Shariat Court and Chief Justices of four Provincial High Courts as its Members. Section 4 of the statute enumerates the functions of the NJPMC as follows:

4. Functions of the Committee.- The Committee shall coordinate and harmonise judicial policy within the court system, and in coordination with the Commission, ensure its implementation. The Committee shall also perform the following functions, namely:—

- (a) Improving the capacity and performance of the administration of justice;
- (b) setting performance standards for judicial officers and persons associated with performance of judicial and quasi judicial functions;
- (c) improvement in the terms and conditions of service of judicial officers and court staff, to ensure skilled and efficient judiciary; and
- (d) publication of the annual or periodic reports of the Supreme Court, Federal Shariat Court, High Courts and courts subordinate to High Courts and Administrative Courts and Tribunals.

The NJPMC, along with the Law and Justice Commission of Pakistan, is at present occupied with all these functions and much more. In particular, a new system of data generation is being put in place. This new system will then be linked with the automation plan for the entire judiciary so that the activity of generating desired reports, for both internal and external evaluation, is streamlined. A major task for the NJPMC in all this is to bring about uniformity in the statistics generated and the adoption of uniform case and other categories. This will help in performance measurement across court-systems and will foster a healthy sense of competition, thus setting the environment for future planning enabling the judiciary to devise better methods for clearing backlogs, providing expeditious justice to the public and making a signal contribution to economic growth, social development and good governance. Insofar as judicial performance and activity is not dependent upon the courts alone and is a cooperative effort of many institutions, agencies and organisations, in particular the Bar, the investigating and prosecuting agencies and the Police, future planning and hence the annual reports, will address and comment upon the performance of such other agencies as well, to the extent that they impact the performance of the courts.

In the case of the present report, sample data forms could not be designed prior to obtaining data/information from the Tribunals and Special Courts. Data was obtained in respect of key areas

and each Tribunal and Court submitted it in its own format. The data has, therefore, been presented as received after necessary editing and slight alterations. Efforts are, however, underway to design forms and formats for publication of future reports.

A few Tribunals and Special Courts have not provided data to the NJPMC for the current report. For some cases this has been indicated within the report. It is to be hoped that data will be provided by all the Tribunals and Special Courts for the report to be published for the year 2003.

The NJPMC has now published for the year 2002, along with the present report, the following six reports:

1. Annual Report of the Supreme Court of Pakistan;
2. Annual Report of the Federal Shariat Court;
3. Annual Report of the High Court of Sindh;
4. Annual Report of the High Court of Balochistan;
5. The Judicial Statistics of Pakistan; and
6. Annual Report of Administrative Tribunals and Special Courts (the present Report).

I would like to thank the consultant and officers/staff of the Law and Justice Commission for publishing the courts reports, the staff of the Ministry of Law and Justice, the Provincial Home Secretaries for collecting data as well as all the staff of the Administrative Tribunals and Special Courts who were responsible for the generation of data and the reports. Thanks are also due to the Programme Management Unit of the Ministry of Law and Justice, responsible for the implementation of the Access to Justice Programme, for their assistance in publishing and distributing courts reports. Work on reports for the year 2003 has commenced and it shall be my endeavour to further improve the quality, analysis and presentation of the reports.

(Dr. Faqir Hussain)

Secretary

Law and Justice Commission of Pakistan &  
National Judicial (Policy Making) Committee



# INCOME TAX APPELLATE TRIBUNAL



## 2 INCOME TAX APPELLATE TRIBUNAL

### 2.1 The Tribunal and its Performance

#### 2.1.1 The Tribunal and its Benches

Income tax appellate tribunals have been working in the Sub-Continent before partition. The Income Tax Appellate Tribunal (ITAT), at present, has 20 Benches. Each Bench consists of one Judicial Member and one Accountant Member, both being appointed in BPS-21. Seven of the 20 Benches are at Karachi, 9 at Lahore, 3 at Islamabad (including the Headquarters of the Tribunal), and one Bench at Peshawar. The Headquarters at Islamabad are headed by a Chairman, who is appointed in BPS-22. The Chairmen of the Tribunal from 1998 to 2002 were the following:

Name	Designation	Period
Mr. Muhammad Mujibullah Siddiqui	Chairman	1998-2000
Mr. Inam Elahi Sheikh	Chairman	2000-till date

#### 2.1.2 ITAT Procedure

The ITAT has the following functions:

- To hear appeals arising out of the orders of the Commissioner of Income Tax (Appeals) and the Inspecting Additional Commissioner, as the case may be, regarding Income Tax and Wealth Tax.
- To hear and dispose of stay applications.
- To hear and dispose of reference applications.
- To hear various types of miscellaneous appeals arising out of the aforesaid proceedings.

The Tribunal discharges its functions through a Division Bench comprising a Judicial Member and an Accountant Member. It also acts through a single Member, either judicial or accountant, but the single Member can only hear appeals in which the total income of the assessee does not exceed Rs. 3,00,000/-.

#### 2.1.3 Performance: Consolidated for Last Five Years

During the last five years the following cases have been disposed of by the Income Tax Appellate Tribunal through its Benches at Islamabad, Lahore, Karachi and Peshawar:

Name of Bench	Appeals
Bench-I to III at Islamabad	15,925
Benches I to IX at Lahore	60,929
Benches I to VII at Karachi	37,193
Peshawar Bench, Peshawar	10,169

## 2.1.4 Performance: Individual Benches for Last Five Years

### Benches I, II & III at Islamabad: Last Five Years

Year	Previous Balance	Institution	Disposal	Pending Balance
1998	3406	2233	1860	4779
1999	4779	3222	3150	4851
2000	4851	3811	3480	5182
2001	5181	2420	3610	3991
2002	3991	2283	3824	2450
<b>Total</b>		<b>13969</b>	<b>15924</b>	

### Benches I to IX at Lahore: Last Five Years

Year	Previous Balance	Institution	Disposal	Pending Balance
1998	19309	7637	10025	16921
1999	16921	9895	10496	16320
2000	20353	7872	11666	16559
2001	19262	9582	13965	14879
2002	14879	11062	14777	11164
<b>Total</b>		<b>46048</b>	<b>60929</b>	

### Benches I to VII at Karachi: Last Five Years

Year	Previous Balance	Institution	Disposal	Pending Balance
1998	18000	3317	7118	14199
1999	14199	4052	9471	8780
2000	8780	5703	7178	7305
2001	7305	4645	6749	5201
2002	5201	3935	6677	2459
<b>Total</b>		<b>21652</b>	<b>37193</b>	

### Peshawar Bench, Peshawar: Last Five Years

Year	Previous Balance	Institution	Disposal	Pending Balance
1998	327	3647	2733	1241
1999	1241	2568	2340	1469
2000	1469	2064	1873	1660
2001	1660	1567	1716	1511
2002	1511	1175	1507	1179
<b>Total</b>		<b>11021</b>	<b>10169</b>	

## 2.2 ITAT Budget

Sr.No.	NAME OF BENCH	1998-99	1999-00	2000-01	2001-02	2002-03
<b>ISLAMABAD</b>						
1	Headquarter Bench	2,706,000	2,742,000	3,544,000	3,029,000	3,819,000
2	Islamabad Bench-I	2,496,000	2,398,000	2,805,000	2,782,000	3,496,000
3	Islamabad Bench-II	2,285,000	2,743,000	3,109,000	3,151,000	3,395,000
<b>LAHORE</b>						
1	Lahore Bench-I	2,042,000	2,602,000	2,921,000	2,644,000	3,456,000
2	Lahore Bench-II	1,810,000	1,936,000	2,562,000	1,897,000	2,774,000
3	Lahore Bench-III	2,078,000	2,017,000	2,863,000	2,109,000	2,906,000
4	Lahore Bench-IV	1,862,000	2,025,000	2,367,000	1,970,000	2,843,000
5	Lahore Bench-V	1,970,000	2,176,000	2,594,000	2,309,000	3,178,000
6	Lahore Bench-VI	1,792,000	1,981,000	3,157,000	2,337,000	2,852,000
7	Lahore Bench-VII	1,862,000	2,058,000	2,351,000	1,990,000	2,921,000
8	Lahore Bench-VIII	1,907,000	2,134,000	2,501,000	2,432,000	3,139,000
9	Lahore Bench-IX	1,932,000	2,060,000	2,397,000	2,149,000	2,901,000
<b>KARACHI</b>						
1	Karachi Bench-I	1,853,000	1,697,000	2,051,000	709,000	4,501,000
2	Karachi Bench-II	2,305,000	2,420,000	2,738,000	2,662,000	3,402,000
3	Karachi Bench-III	2,321,000	2,416,000	3,119,000	2,819,000	3,212,000
4	Karachi Bench-IV	2,116,000	2,346,000	3,000,000	2,422,000	3,110,000
5	Karachi Bench-V	2,220,000	2,231,000	2,571,000	2,035,000	3,167,000
6	Karachi Bench-VI	2,181,000	2,285,000	2,996,000	2,222,000	2,982,000
7	Karachi Bench-VII	2,202,000	2,185,000	2,568,000	2,141,000	
<b>PESHAWAR</b>						
1	Peshawar Bench.	2,381,000	2,360,000	2,623,000	2,684,000	3,264,000

THIS PAGE BLANK

# ENVIRONMENTAL PROTECTION TRIBUNALS





## 3 ENVIRONMENTAL PROTECTION TRIBUNALS

### 3.1 The Tribunals and Their Performance

#### 3.1.1 The Tribunals

Environmental Protection Tribunals were constituted under the Pakistan Environmental Protection Act, 1997. The Tribunals did not come into operation until 2003. At present there are two such tribunals, one each at Karachi and Lahore. Each tribunal is headed by a Chairperson who is appointed in BPS-21. In addition, there is a Member Technical (BPS-21) and a Member Legal (BPS-20). The Tribunal at Karachi does not have a Chairperson nor Members for the time being, while a Chairperson and Member Legal were appointed for the Tribunal at Lahore during 2003. The names of Chairpersons for the two tribunals are given below:

#### Environmental Protection Tribunal, Lahore

Name	Designation	Period
Mr. Justice (R) Khalid Paul Khawaja	Chairman	2000–2002
Syed Zamir Hussain	Chairman	2003–till date

#### Environmental Protection Tribunal, Karachi

Name	Designation	Period
Mr. Justice (R) Amanullah Abassi	Chairman	2001–31.01.02

Mr. Ali Nawaz Pirzada, Judge Special Court-I (CNS),  
Karachi has been assigned additional charge of the Tribunal.

#### 3.1.2 Performance

As the Tribunals have started functioning recently, there is nothing to report with respect to the institution, disposal and pending balances of cases.

### 3.2 Procedure of the Tribunals

The Pakistan Environmental Protection Act of 1997 provides for the protection, conversion, rehabilitation and improvement of the environment. It further provides for the control of pollution and the promotion of sustainable development. The Act extends to the whole of Pakistan.

Any person aggrieved by any order or direction of a federal or provincial agency under the provisions of the Act and rules and regulations made thereunder may prefer an appeal with the Environmental Tribunal within thirty days of the date of communication of the impugned order or direction to such person. An appeal to the Environmental Tribunal shall be in a such form, contain such particulars and be accompanied by such fees, as may be prescribed. Any person aggrieved by any final order or any sentence of the Environmental Tribunal passed under this Act may, within thirty days of the communication of such order or sentence, prefer and appeal to the High Court.

### 3.3 Annual Budgets of the Tribunals at Karachi and Lahore

<b>Year</b>	<b>KARACHI</b>	<b>LAHORE</b>
2001	Rs. 2,164,000/-	Rs. 2,477,000/-
2002	Rs. 2,784,000/-	Rs. 2,873,000/-
2003	Rs. 2,999,000/-	Rs. 3,207,000/-

# **INSURANCE APPELLATE TRIBUNAL**



## 4 INSURANCE APPELLATE TRIBUNAL

### 4.1 The Tribunal and its Performance

#### 4.1.1 The Tribunal

The Insurance Appellate Tribunal was established under the Insurance Act, 1938 (IV of 1938). This Act was repealed by the Insurance Ordinance, 2000 promulgated on 19th August, 2000. One Tribunal was established under the Ordinance at Karachi. The Tribunal has a Chairman, Member Technical and Member Legal. The Tribunal is not functioning at present as no Chairman or Member has been appointed. The names of the earlier Presiding Officers are given below:

1. Mrs. Qaiser Iqbal
2. Mr. Tahseen Ahmed Bhatti
3. Mr. Jawaid Masood Tahir Bhatti.

#### 4.1.2 Performance

A statement showing the institution, disposal and pending balances during the last five years, 1998–2002, is given below:<sup>1</sup>

Year	Previous Balance	Institution	Disposal	Pending Balance
1998		3	2	8
1999	1			8
2000	1	8	5	4
2001	4			4
2002	4			4
<b>Total</b>		<b>4</b>	<b>7</b>	

As the Tribunal is not functioning at present, no figures have been provided for the reporting year.

### 4.2 Procedure of the Tribunal

A Tribunal exercises civil jurisdiction in respect of a claim, arising out of a policy of insurance, filed by a policy holder against an insurance company. In exercising such jurisdiction, the Tribunal has all the powers vested in a civil court under the Code of Civil Procedure, 1908 (Act V of 1908). The Tribunal exercises criminal jurisdiction to try offences punishable under the Ordinance of 2000 and has the powers vested in a court of sessions under the Code of Criminal Procedure, 1898 (Act V of 1898).

In all matters in respect of which a procedure has not been provided by the Ordinance, the Tribunal either follows the procedure laid down in the Code of Civil Procedure, 1908 or that laid down in the Code of Criminal Procedure, 1898. In particular, the Tribunal has, in terms of the Code of Civil Procedure, 1908, the powers of:

---

<sup>1</sup>The table is reproduced here as provided. No previous balances have been provided, however, these can be readily assessed from the column on the right. A figure of 28 showing the total balance has been removed as that is meaningless.

- (a) Summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents and material objects;
- (c) receiving evidence on affidavits; and
- (d) issuing commissions for the examination of witnesses or documents.

If, in the course of trial of an application, any member of the Tribunal ceases to hold office, or is, for any reason, unable to attend the sittings of the Tribunal, the trial continues notwithstanding such vacancy, and decision is given by the remaining members. In case of difference of opinion, the opinion of the majority prevails and the decision is expressed in terms of the view of the majority, however, where the members are equally divided on any point, the matter is decided by the view of the Chairperson. The Tribunal gives its opinion in writing and provides a copy of its decision to each party to the dispute and forwards one copy to the Commission.

### 4.3 Budget of the Tribunal

Year	Amount
1998	Rs. 804,000/-
1999	Rs. 763,000/-
2000	Rs. 959,000/-
2001	Rs. 596,000/-
2002	Rs. 1,175,000/-

**CUSTOMS, EXCISE & SALES TAX  
APPELLATE TRIBUNAL**





## 5 CUSTOMS, EXCISE & SALES TAX APPELLATE TRIBUNAL

The Customs, Excise and Sales Tax Appellate Tribunal was established under the Customs Act, 1969 (IV of 1969). The Tribunal has eight benches, three at Karachi, two each at Lahore and Islamabad, and one at Peshawar. Each bench consists of two members (BPS-21), a judicial member and a technical member. Technical members are taken from the Customs and Excise Group and are equivalent in rank to a member of the CBR. Judicial members are appointed by the Federal Government by inviting nominations from the respective High Courts.

Section 194(3) of the Customs Act, 1969 provides that a judicial member be a person who has been a judge of the High Court, or is, or has been, a district judge and is qualified to be a judge of the High Court, or is, or has been, an advocate of a High Court and is qualified to be a judge of the High Court. Section 194(3) of the Act provides that a technical member be an officer of the Customs and Excise Group equivalent in rank to a member of the CBR. Section 194(4) lays down that the Federal Government shall appoint one of the members of the Appellate Tribunal to the Chairman thereof.

The names of the judicial/technical members at the various benches (including the Chairman) are given below:

S.No.	Location	Name of Judl. Member	Name of Tech. Member
1	Islamabad Bench-I	Mr. Justice (R) Rao Iqbal Ahmad Khan (Chairman) (on contract)	Mr. Muhammad Anwar Ali (on deputation)
2	Islamabad Bench-II	Al Haj Feroze-ud-Din (on contract)	Sayed Mohsin Asad (on deputation)
3	Lahore Bench-I	Vacant	Mr. Sarfraz Ahmed (on deputation)
4	Lahore Bench-II	Pir Akhtar Hussain Bodla (on contract)	Mr. Saeed Akhtar (on deputation)
5	Peshawar Bench	Mr. Raj Muhammad Khan (on deputation)	Mr. Muhammad Wali Khan (on deputation)
6	Karachi Bench-I	Mr. Sultan Ahmad Siddiqui (on deputation)	Mr. Mir Fuad (on deputation)
7	Karachi Bench-II	Mr. Ali Sain Dino (on deputation)	Mr. S.M.Kazmi (on deputation)
8	Karachi Bench-III	Ms. Yasmin Abbasey (on deputation)	Mr. Zafar Iqbal (on deputation)

The various benches of the Tribunal have sent independent reports on their performance for the year 2002. Reports have been received from Islamabad Bench I, Islamabad Bench II, Lahore Bench I, Lahore Bench II, Karachi Bench I, Karachi Bench II, Karachi Bench III, and the Peshawar Bench. The report from the Peshawar Bench provides a brief description of the functioning of the Tribunal, and it is this report that is presented first to provide an introduction.

### 5.1 The Peshawar Bench

The Tribunal deals with appeals against the judgements/orders passed by the Adjudicating Officers who are designated as Deputy Collector (Adjudication), Additional Collector (Adjudication) and Collector (Adjudication) in cases of customs, excise and sales tax in the Collectorate of Customs. In the matter of customs, the Tribunal deals with goods and vehicles.

The Peshawar Bench of the Tribunal came into existence on 21.03.2001, however, due to non-availability of Member Technical the Bench could not function independently till 14.01.2002. During the absence of Member Technical, the Member Judicial worked at Islamabad along with the Member Technical of Islamabad Bench I for disposal of cases. Prior to the establishment of the Peshawar Bench, cases pertaining to the Peshawar Collectorate of Customs, Excise and Sales Tax were heard at Islamabad. Cases of this Collectorate pending at Islamabad were transferred to the Peshawar Bench when it started functioning.

Mr. Raj Muhammad Khan has been appointed as the first Judicial Member of the Peshawar Bench and Mr. Mushtaq Ahmed Kazmi as Member Technical.

There are two types of appeals instituted before the Tribunal. The first are called single bench cases and the other division bench cases. Prior to the Finance Act, 2002, the limit for single bench cases was Rs. 1,00,000/-, which was enhanced to Rs. 5,00,000/- by the Act. Single bench cases are normally heard by the Member Judicial alone, while division bench cases are heard by both members. Upon institution the appeal is diarised, registered at a serial number and scrutinised. It is then placed before the Bench either for pre-admission hearing or full hearing on a date as per diary of the Court.

### 5.1.1 Performance

#### STATEMENT OF CASES FOR THE YEAR 2002

Previous Balance	Institution	From Ibd. Bench-I	Total	Disposal	Pending Balance
94	1043	634	1771	929	842

#### STATEMENT OF CASES UPTO JULY 2003

Previous Balance	Institution	From Ibd. Bench-I	Total	Disposal	Pending Balance
842	232	10	1084	422	662

### 5.1.2 Budget

Independent budgets are allocated to the Bench by the Ministry of Law, Justice and Human Rights. Due to non-availability of office premises as well as the required staff for the Bench, the first budget for the financial year 2001–2002 could not be spent and most of the budget lapsed.

Year	Sanctioned Budget
2000-2001	2,393,000
2001-2002	2,631,000
2002-2003	2,737,000

## 5.2 Islamabad Benches

### 5.2.1 Islamabad Benches I and II: Performance 1995–2002

The table below pertains to Islamabad Benches I and II of the Customs, Excise and Sales Tax Appellate Tribunal. The Islamabad Bench was established in December 2000.

Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1995	Nil	209	209	110	99
1996	99	183	282	157	125
1997	125	219	344	265	79
1998	79	250	329	199	130
1999	130	449	579	260	319
2000	319	1125	1444	356	1088
2001	1079	3822	4901	2833	2068
2002	2068	497	2565	2139	426

### 5.2.2 Bench I: Budget and Members

ISLAMABAD BENCH I: BUDGET					
Objective Classification	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003
00000-Establishment Charges	1,320,000	1,320,000	1,631,000	1,598,000	2,189,000
10000-Purchase of durable goods.	Nil	Nil	50,000	50,000	30,000
40000-Repair & Maint. of durable goods	60,000	65,000	70,000	70,000	70,000
50000-Commodities & Services.	1,465,000	936,000	1,285,000	1,292,000	1,292,000
60000-Transfer Payments	5,000	Nil	5,000	5,000	3,000
<b>Grand Total:</b>	<b>2,850,000</b>	<b>2,321,000</b>	<b>3,041,000</b>	<b>3,015,000</b>	<b>3,584,000</b>

ISLAMABAD BENCH I: MEMBERS JUDICIAL		
S.No.	Name	Period
1.	Mr. Zafar Ali Warraich	8-2-1995 to 11-07-1996
2.	Mr. Mumtaz Rasool Khan	4-1-1997 to 06-04-1998
3.	Mr. Qammurddin Ahmed	6-6-1998 to 20-04-1999
4.	Mr. Khawar Ikram Bhatti	29-7-99 to 17-11-1999
5.	Mian Abdul Qayyum	21-10-2000 to 15-3-2001
6.	Ch. Riaz Ahmed	27-8-2001 to 17-9-2002
7.	Mr Justice (R) Zafar Pasha	18-10-2002 to 06-04-2003
8.	Mr. Justice (R) Rao Iqbal Ahmad Khan	13-8-2003 to —

ISLAMABAD BENCH I: MEMBERS TECHNICAL		
S.No.	Name	Period
1.	Mr. Mumtaz Ali	8-2-1995 to 27-7-98
2.	Mr. Falak Sher	26-2-1999 to 26-1-2000
3.	Mr. Masud Ahmed Daher	27-1-2000 to 28-7-2000
4.	Mr. Mohammad Sulaiman	3-10-2000 to —

### 5.2.3 Bench II: Budget and Members

ISLAMABAD BENCH II: BUDGET			
Objective Classification	2000-2001	2001-2002	2002-2003
00000-Establishment Charges	1,061,000	1,586,000	2,041,000
10000-Purchase of durable goods	400,000	100,000	55,000
40000-Repair & Maint. of durable goods	60,000	60,000	60,000
50000-Commodities & Services	864,000	880,000	650,000
60000-Transfer Payments	5,000	5,000	3,000
<b>Grand Total:</b>	<b>2,390,000</b>	<b>2,631,000</b>	<b>2,809,000</b>

<b>ISLAMABAD BENCH II: MEMBERS JUDICIAL</b>		
<b>S.No.</b>	<b>Name</b>	<b>Period</b>
1.	Mr. Abdul Hamid Khan Khatak	5-1-2001 to 01-05-2003
2.	Mr. Al Haj Feroz-ud-Din	24-7-2003 to —

<b>ISLAMABAD BENCH II: MEMBERS TECHNICAL</b>		
<b>S.No.</b>	<b>Name</b>	<b>Period</b>
1.	Mr. Masud Ahamd Daher	26-2-2001 to 31-12-2002
2.	Mr. Syed Mohsin Asad	19-1-2003 to —

### 5.3 Lahore Benches

Where the taxpayer or Commissioner objects to an order passed by the Commissioner appeals, the taxpayer or Commissioner may appeal to the Appellate Tribunal against such order. The Appellate Tribunal may, before disposing of an appeal call for such particulars as it may require in respect of the matter arising on the appeal or cause further inquiry to be made by the Commissioner. The Appellate Tribunal shall offer to the parties an opportunity of being heard, and in case of default may proceed ex-parte.

#### 5.3.1 Lahore Bench I

<b>LAHORE BENCH I: PERFORMANCE</b>			
Year	Institution	Disposal	Pending Balance
1998	544	404	
1999	736	649	
2000	2461	125	
2001	2826	1757	
2002	1896	2443	
2003 (July)	1211	794	2725

The presiding officers of the Tribunal during the reporting period have been the following:

- Mr. M. Islam Bhatti
- Mr. Justice (R) Akhtar Hassan
- Mr. Nasim Sikandar
- Mian Qamaruddin Ahmad
- Mr. Justice (R) Abdul Majid Tiwana
- Mr. Justice (R) Zafar Pasha Ch.

Mr. Sarfraz Ahmad Khan was the Member Technical

The budget for Lahore Bench-I has been approximately Rs. 3,400,000 /- each year. The headquarters of the Tribunal were shifted from Lahore to Islamabad vide Notification No.F.18(9)/2002-AIII, dated 18-11-2002.

### 5.3.2 Lahore Bench II

The Lahore Bench II was established in July 2000.

<b>LAHORE BENCH II: PERFORMANCE</b>			
Year	Institution	Disposal	Pending Balance
2001	1501	865	

865 appeals were returned to Lahore Bench-I by order of the Chairman.

The budget for Lahore Bench-II for the year was Rs. 2,631,000 /-.

Mian Abdul Qayyum and Pir Akhtar Hussain Bodla were the Members Judicial.

## 5.4 Karachi Benches

### 5.4.1 Karachi Bench I

<b>KARACHI BENCH I: PERFORMANCE</b>					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1998	234	701	935	527	408
1999	408	1378	1786	965	821
2000	821	2297	3118	1010	2108
2001	2108	992	3100	1837	1263
2002	1163	426	1589	514	1075
2003 (upto 31-12-2003)	1075	400	1475	534	941

<b>KARACHI BENCH I: BUDGET</b>	
Year	Sanctioned Budget
1998-1999	2,578,000
1999-2000	2,492,000
2000-2001	2,562,000
2001-2002	2,595,000
2002-2003	3,154,000

#### 5.4.2 Karachi Bench II

<b>KARACHI BENCH II: PERFORMANCE</b>			
Year	Institution	Disposal	Pending Balance
July 2001 to June 2002	Cus. 560	Cus. 473	Cus. 87
	S.T. 220	S.T. 127	S.T. 93
	C.E. 90	C.E. 43	C.E. 47
	Total: 870	Total: 643	Total: 227
July 2002 to June 2003	Cus. 87 + 942 = 1029	Cus. 437	Cus. 592
	S.T. 93+ 200 = 293	S.T. 73	S.T. 220
	C.E. 47 + 79 = 122	C.E. 33	C.E. 89
	Total: 1444	Total: 543	Total: 901

<b>KARACHI BENCH II: BUDGET</b>	
Year	Sanctioned Budget
2001-2002	1,737,426
2002-2003	2,147,673

Mr. Safdar Ali Shah and Mr. Abdul Rashid Ahmad Shaikh were the Members Technical and Judicial respectively for the years 2001 to 2002, while Mr. Zafar Iqbal and Mr. Abdul Rashid A. Shaikh were the Members Technical and Judicial respectively for the years 2002 to 2003.

#### 5.4.3 Karachi Bench III

<b>KARACHI BENCH III: PERFORMANCE UP TO AUG. 2003</b>						
Institution	<b>DISPOSAL UP TO AUG. 2003</b>					Pending Balance
	Single Bench	Double Bench	Total Disposal	Transfer to Another Br.	Grand Total	
1543	122	973	1095	188	1283	260

Ms. Yasmin Abbasey was the Member Judicial, while Mr. Safdar Ali Shah was Member Technical. The budget for the reporting year was Rs. 6,572,440/-.

# SERVICES TRIBUNALS





## 6 SERVICES TRIBUNALS

DATA REQUESTED WITH RESPECT TO THE DIFFERENT SERVICES TRIBUNALS FUNCTIONING IN THE COUNTRY WAS NOT SENT TO THE LAW AND JUSTICE COMMISSION OF PAKISTAN. THIS PAGE IS, THEREFORE, BEING LEFT BLANK

THIS PAGE BLANK

# **SPECIAL COURTS (CONTROL OF NARCOTIC SUBSTANCES)**



## 7 SPECIAL COURTS (CONTROL OF NARCOTIC SUBSTANCES)

### 7.1 The Special Courts

Special Courts (Control of Narcotic Substances) were constituted under the Control of Narcotic Substances Act, 1997. At present there are six Special Courts (Control of Narcotic Substances). Two of these are at Karachi and one each at Lahore, Rawalpindi/Islamabad, Peshawar and Quetta. Each Court is headed by a presiding officer who is a District and Sessions Judge. Except for Quetta, all the Courts are functioning. Besides these Special Courts (CNS), powers have also been conferred upon most of the District and Sessions Judges of Pakistan under the said Act to try narcotics cases. Efforts are being made to establish similar Courts at Sukkur, Multan, Kohat and Gilgit. The names of the presiding officers are given below:

S.No.	Location of the Court	Name of Presiding Officer
1	Special Court-I (CNS), Karachi	Mr. Ali Nawaz Pirzada
2	Special Court (CNS), Lahore	(i) Mr. Kazim Raza Shamsi from 12-7-2000 to 18-11-2002 (ii) Mr. Pervaiz Ali Chawla from 19-11-2002 to till date
3	Special Court (CNS), Rawalpindi	Mr. Sagheer Ahmed Qadri
4	Special Court (CNS), Peshawar	(I) Mr. Muhammad Ashraf Khan (ii) Mr. Abdul Rehman Khan
5	Special Court (CNS), Quetta	Non Functional since its Establishment in 2000
6	Special Court-II (CNS), Karachi	Mr. Abdul Ghafoor Memon since the establishment of Court in the Second half of 2003

Cases registered under the Control of Narcotic Substances Act, 1997 by the ANF Police and other law enforcing agencies are tried by these Courts. According to section 46 of the CNS Act, trials are conducted in these Special Courts under the Criminal Procedure Code, 1898. Appeals from the judgements of these Courts can be filed under section 48 of the CNS Act, 1997 before the Division Bench of the concerned High Court.

### 7.2 Special Courts (CNS): Performance

The statements below shows the institution, disposal and pending balances of cases at Special Courts (CNS) beginning with the year 2000 when these Courts were established. The exception is Special Court II (CNS) at Karachi, which was established in the year 2003.

SPECIAL COURT I (CNS) KARACHI				SPECIAL COURT (CNS) LAHORE			
Year	Institution	Disposal	Pending Balance	Year	Institution	Disposal	Pending Balance
2000	1223	157	1066	2000	112	Nil	112
2001	540	488	1118	2001	181	84	97
2002	439	230	1327	2002	148	55	93
2003	333	201	1660	2003	129	58	69

SPECIAL COURT (CNS) RAWALPINDI				SPECIAL COURT (CNS) PESHAWAR			
Year	Institution	Disposal	Pending Balance	Year	Institution	Disposal	Pending Balance
2000	218	Nil	218	2000	Nil	Nil	Nil
2001	294	169	125	2001	85	52	33
2002	180	98	82	2002	147	102	45
2003	138	68	70	2003	118	89	29

SPECIAL COURT (CNS) QUETTA				SPECIAL COURT II (CNS) KARACHI			
Year	Institution	Disposal	Pending Balance	Year	Institution	Disposal	Pending Balance
<i>Not Functioning</i>				<i>Established 2nd half of 2003—No figures</i>			

### 7.3 Special Courts (CNS): Budget

Budget for the Year	Special Court-I (CNS) Karachi	Special Court-II (CNS) Karachi	Special Court (CNS) Rawalpindi	Special Court (CNS) Lahore	Special Court (CNS) Peshawar	Special Court (CNS) Quetta.
2000	Rs. 1,592,000/-	—	Rs. 1,592,000/-	Rs. 1,592,000/-	Rs. 1,592,000/-	Rs. 1,592,000/-
2001	Rs. 1,582,000/-	—	Rs. 1,475,000/-	Rs. 1,486,000/-	Rs. 1,454,000/-	Rs. 1,558,000/-
2002	Rs. 1,700,000/-	—	Rs. 1,661,000/-	Rs. 1,502,000/-	Rs. 1,621,000/-	Rs. 1,542,000/-
2003	Rs. 1,700,000/-	Rs. 1,983,000/-	Rs. 1,556,000/-	Rs. 1,838,000/-	Rs. 1,887,000/-	Rs. 1,692,000/-

# **BANKING COURTS (RECOVERY OF LOANS)**





## 8 BANKING COURTS (RECOVERY OF LOANS)

The Federal Government, under section 5(1) of the Financial Institutions (Recovery of Finances) Ordinance, 2001, has established twenty-nine (29) Banking Courts all over the country for the recovery of loans from defaulters. The month-wise disposal of suits and executions for the year 2002 in respect of Banking Courts is as under:

Month	Suits		Executions		Recovered Amount (Rs.)
	Disposed	Pending	Disposed	Pending	
January	1666	14421	448	29612	336923234
February	1179	13860	446	29952	253111021
March	1349	13165	605	30331	340258249
April	1296	12322	494	30510	311098784
May	1472	12002	592	31604	353726493
June	1240	11676	664	31787	245338633
July	1006	11164	586	31858	304257653
August	919	10975	653	31419	436443848
September	1365	10571	810	31798	437424420
October	1211	10004	584	32033	388092103
November	857	9976	598	31961	504934733
December	865	9896	586	31721	177701116
<b>Total:—</b>	<b>14425</b>	<b>140032</b>	<b>7066</b>	<b>374586</b>	<b>4089310287</b>

The details of the performance of individual Courts as well as their budgets were not provided.

THIS PAGE BLANK

# **SPECIAL COURTS (OFFENCES IN BANKS)**



## 9 SPECIAL COURTS (OFFENCES IN BANKS)

### 9.1 The Special Courts

Three Special Courts (Offences in Banks), one each at Karachi, Lahore and Peshawar are functioning under the Offences in Respect of Banks (Special Courts) Ordinance, 1984 (IX of 1984). The Presiding Officer at Lahore has been appointed on contract basis, while the Presiding Officer at Peshawar is a serving District & Sessions Judge who is working on deputation.

S.No.	Location of the Court	Name of Presiding Officer
1	Karachi	Vacant
2	Lahore	Mr. Justice (R) Muhammad Nasim Chaudhry
3	Peshawar	Mr. Azhar Khan Nasim

### 9.2 Special Court (Offences in Banks) Karachi

CASE LOAD	1997	1998	1999	2000	2001	2002
Previous Pending	158	216	285	329	372	432
Institution	78	133	88	67	150	147
Disposal	20	64	44	24	90	59
Pending Balance	216	285	329	372	432	520

Item	1996-1997	1997-1998	1998-1999	1999-2000	2000-2001	2001-2002
Annual Budget	1,252,000	954,000	1,488,770	1,856,000	1,741,000	1,294,000
Fine Deposited	20,000	Nil	171,000	1,105,000	979,000	883,163

The names of the Presiding Officers are listed below for the corresponding periods.

<b>1996-1997</b>	Mr. Hassan Feroz Justice, (R) Syed Abdur Rehman
<b>1997-1998</b>	Justice (R) Syed Abdur Rehman
<b>1998-1999</b>	Justice (R) Syed Abdur Rehman
<b>1999-2000</b>	Justice (R) Syed Abdur Rehman
<b>2000-2001</b>	Syed Ekram Hussain Jafri
<b>2001-2002</b>	Syed Ekram Hussain Jafri

### 9.3 Special Court (Offences in Banks) Lahore

LAHORE: PERFORMANCE					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1998	580	75	655	162	493
1999	493	115	608	177	431
2000	431	144	575	217	358
2001	358	235	593	279	314
2002	314	210	524	211	313

LAHORE: BUDGET	
Year	Sanctioned Budget
1998-1999	1,714,000
1999-2000	2,065,000
2000-2001	2,189,000
2001-2002	2,182,000
2002-2003	2,518,000

#### 9.4 Special Court (Offences in Banks) Peshawar

PESHAWAR: PERFORMANCE					
Year	Month	Previous Balance	Institution	Disposal	Pending Balance
1999	January	23	–	–	23
	February	23	–	–	23
	March	23	–	–	23
	April	23	–	–	23
	May	23	1	1	23
	June	23	1	–	24
	July	24	–	–	24
	August	24	1	–	25
	September	25	–	–	25
	October	25	–	1	24
	November	24	–	1	23
	December	23	–	–	23
2000	January	23	–	–	23
	February	23	–	–	23
	March	23	1	–	24
	April	24	1	–	25
	May	25	6	–	31
	June	31	–	–	31
	July	31	–	–	31
	August	31	–	1	34
	September	30	9	5	34
	October	34	1	1	34
	November	34	–	–	34
	December	34	6	–	40
2001	January	40	–	8	32
	February	32	4	3	36
	March	33	–	1	32
	April	32	2	1	33
	May	33	2	–	35
	June	35	8	8	35
	July	33	8	5	36
	August	36	4	5	35
	September	35	9	4	40

	October	40	3	5	38
	November	38	5	5	38
	December	38	3	4	37
2002	January	37	3	4	36
	February	36	–	–	36
	March	36	5	4	37
	April	37	–	7	30
	May	30	9	4	35
	June	35	2	8	29
	July	29	1	5	25
	August	25	1	2	24
	September	24	4	3	25
	October	25	1	–	26
	November	26	–	2	24
	December	24	–	–	24
2003	January	24	–	–	24
	February	24	–	2	22
	March	22	1	1	22
	April	22	–	2	20
	May	20	1	1	20
	June	20	1	1	20
	July	20	1	1	20

<b>PESHAWAR: BUDGET</b>	
<b>Year</b>	<b>Sanctioned Budget</b>
1998-1999	882,000
1999-2000	905,000
2000-2001	965,000
2001-2002	896,000
2002-2003	1,236,000

THIS PAGE BLANK



# SPECIAL COURTS (CUSTOMS, TAXATION & ANTI-SMUGGLING)



## 10 SPECIAL COURTS (CUSTOMS, TAXATION & ANTI-SMUGGLING)

### 10.1 The Special Courts

Four Special Courts of Customs, Taxation and Anti-Smuggling are functioning under the Customs Act, 1969 (IV of 1969). Each court is presided over by a special judge (BPS-20), who is usually a District & Sessions Judges, and his services are borrowed from the Provincial Judiciary on deputation. The following Judges are serving as Presiding Officers at present:

S.No.	Location of the Court	Name of Presiding Officer
1	Karachi	Mr. Salman Ansari.
2	Lahore	Syed Nasir Ali Shah
3	Rawalpindi/Islamabad	Mr. Jalal-ud-Din Akbar
4	Peshawar	Mr. Muhammad Safdar Khan

### 10.2 Special Court (Customs, Taxation & Anti-Smuggling) Karachi

KARACHI: PERFORMANCE			
Year	Institution	Disposal	Pending Balance
1999	186	203	443
2000	214	321	361
2001	76	69	306
2002	61	122	302
2003	99	70	305

KARACHI: BUDGET	
Year	Sanctioned Budget
1998-1999	998,000
1999-2000	1,000,000
2000-2001	1,192,000
2001-2002	1,269,000
2002-2003	1,488,000

### 10.3 Special Court (Customs, Taxation & Anti-Smuggling) Lahore

LAHORE: PERFORMANCE				
Year	Previous Balance	Institution	Disposal	Pending Balance
1998	555	446	452	549
1999	549	367	473	443
2000	443	179	225	397
2001	397	149	304	242
2002	242	88	151	179

LAHORE: BUDGET	
Year	Sanctioned Budget
1998-1999	866,000
1999-2000	915,000
2000-2001	1,091,000
2001-2002	1,108,000
2002-2003	1,241,000

#### 10.4 Special Court (Customs, Taxation & Anti-Smuggling) Peshawar

PESHAWAR: PERFORMANCE								
Month/ Year	Previous Balance	Institution	Total	Disposal	Pending Balance	Fine Recovered	Bail Appls.	Presiding Officer
Jul-98	41	27	68	29	39	64,000	20	Mr. Khan Akbar Khan
Aug-98	39	22	61	5	56	68,000	30	Mr. Irshad Qaisar
Jul-98	56	67	123	28	95	76,500	38	–
Oct-98	95	26	121	28	93	112,000	31	–
Nov-98	93	42	135	26	109	157,000	40	–
Dec-98	109	20	129	22	107	97,000	33	–
Jan-99	107	30	137	20	117	163,000	56	–
Feb-99	117	26	143	35	108	229,000	41	–
Mar-99	108	9	117	1	116	10,000	2	–
Apr-99	116	32	148	29	119	86,000	21	–
May-99	119	36	155	31	124	211,000	31	–
Jun-99	124	24	148	27	121	92,000	29	–
<b>Total</b>	<b>1,124</b>	<b>361</b>	<b>1,485</b>	<b>281</b>	<b>1,204</b>	<b>1,365,500</b>	<b>372</b>	
Jul-99	121	14	135	28	107	70,000	25	Mr. Irshad Qaisar
Aug-99	107	14	121	17	104	50,000	13	–
Sep-99	104	32	136	30	106	51,000	26	–
Oct-99	106	33	139	31	108	122,200	28	–
Nov-99	108	24	132	23	109	294,000	40	–
Dec-99	109	26	135	23	112	320,000	33	–
Jan-00	112	64	176	33	143	138,000	23	–
Feb-00	143	45	188	37	151	97,000	37	–
Mar-00	151	48	199	33	166	84,000	35	–
Apr-00	166	38	204	38	166	73,000	23	–
May-00	166	20	186	44	142	172,000	30	–
Jun-00	142	17	159	23	136	135,000	22	–
<b>Total</b>	<b>1,535</b>	<b>375</b>	<b>1,910</b>	<b>360</b>	<b>1,550</b>	<b>1,606,200</b>	<b>335</b>	
Jul-00	136	19	155	18	137	178,000	13	Mr. Irshad Qaisar
Aug-00	137	13	150	26	124	103,000	21	–
Sep-00	124	22	146	28	118	252,000	29	–
Oct-00	118	44	162	21	141	664,000	13	–
Nov-00	141	39	180	46	134	434,000	13	–
Dec-00	134	18	152	14	138	329,000	29	–
Jan-01	138	26	164	30	134	81,000	24	–
Feb-01	134	34	168	35	133	125,000	30	–
Mar-01	133	14	147	29	118	44,000	28	–

Apr-01	118	22	140	31	109	115,000	13	–
May-01	109	24	133	21	112	340,000	17	–
Jun-01	112	24	136	11	125	97,000	16	Rafique Hussain Shah
<b>Total</b>	1,534	299	1,833	310	1,523	2,762,000	246	
Jul-01	125	10	135	8	127		9	Rafique Hussain Shah
Aug-01	127	30	157	26	131	40,000	23	–
Sep-01	131	6	137	29	108		31	–
Oct-01	108	19	127	18	109	30,000	24	–
Nov-01	109	19	128	14	114	75,000	28	–
Dec-01	114	17	131	13	118	223,000	14	–
Jan-02	118	16	134	19	115	185,000	25	–
Feb-02	115	7	122	12	110	280,000	9	–
Mar-02	110	15	125	22	103	310,000	16	–
Apr-02	103	3	106	13	93	450,000	19	–
May-02	93	14	107	15	92	130,000	31	–
Jun-02	92	19	111	8	103	180,000	20	–
<b>Total</b>	1,345	175	1,520	197	1,323	1,903,000	249	
Jul-02	103	12	115	17	98	261,000	16	Rafique Hussain Shah
Aug-02	98	20	118	9	109	85,000	12	–
Sep-02	109	17	126	15	111	120,000	32	–
Oct-02	111	18	129	17	112	134,000	28	–
Nov-02	112	11	123	11	112	138,000	32	–
Dec-02	112	14	126	1	125	20,000	1	–
Jan-03	125	12	137	7	130	130,000	34	Abdur Rehman Khan
Feb-03	130	2	132	13	119	26,000	23	Malik Muhammad Safdar Khan Sikan- dri
Mar-03	119	30	149	21	128	243,000	24	
Apr-03	128	31	159	18	141	113,000	22	–
May-03	141	4	145	12	133	125,500	22	–
Jun-03	133	1	134	16	118	118,000	14	–
<b>Total</b>	1,421	172	1,593	157	1,436	1,513,500	260	

<b>PESHAWAR: BUDGET</b>	
<b>Year</b>	<b>Sanctioned Budget</b>
1998-1999	Rs. 9,41,518.40/-
1999-2000	Rs. 8,28,000/-
2000-2001	Rs. 10,02,942/-
2001-2002	Rs. 14,31,840/-
2002-2003	Rs. 15,92,076/-

## 10.5 Special Court (Customs, Taxation & Anti-Smuggling) Rawalpindi/ Islamabad

RAWALPINDI/ISLAMABAD: PERFORMANCE					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1998	Nil	Nil	Nil	Nil	Nil
1999	Nil	Nil	Nil	Nil	Nil
2000	Nil	Nil	Nil	Nil	Nil
2001	137	4	141	34	107
2002	107	29	136	117	19
2003 (up to 30-6-2003)	19	59	78 <sup>2</sup>	41	21

RAWALPINDI/ISLAMABAD: BUDGET		
Year	Sanctioned Budget	Expenditure
1998-1999	Nil	Nil
1999-2000	Nil	Nil
2000-2001	1,683,000	590,925
2001-2002	1,374,000	919,434
2002-2003	1,440,000	976,170
2003-2004 Up to Dec., 2003	1,469,000	505893

---

<sup>2</sup>16 challans have been consolidated with the main challan vide order dated 5-04-2003. The Court started functioning with effect from 15-5-2001.

## **SPECIAL JUDGES (CENTRAL)**





## 11 SPECIAL JUDGES (CENTRAL)

### 11.1 The Special Judges

Eight Courts of Special Judge (Central) Anti-Corruption have been established throughout the country under the Criminal Law Amendment Act, 1958 (XL of 1958). For the post of Presiding Officer (BPS-20), the services of judges are borrowed from the respective Provincial Judiciary on deputation. The names of the present presiding officers are given below:

S.No.	Location of the Court	Name of Presiding Officer
1	Karachi-I	Vacant
2	Karachi-II	Mr. Munir Ahmad Khawaja
3	Hyderabad	Mr. Lal Muhammad Khero
4	Multan	Mr. Muhammad Arif
5	Lahore	Mr. Muhammad Hanif Khan
6	Faisalabad	Vacant
7	Rawalpindi	Syed Akhlaq Ahmad
8	Peshawar	Vacant

### 11.2 Special Judge (Central) I, Karachi

Performance					
CASE LOAD	1998	1999	2000	2001	2002
Previous Pending	162	171	161	233	676
Institution	9	7	116	464	70
Disposition	-	17	44	21	421
Pending Balance	171	161	233	676	325
Budget and Fines Deposited					
Annual Budget	Rs. 6,51,000	Rs. 6,64,000	Rs. 8,40,000	Rs. 7,46,000	Rs. 10,40,000
Fine Deposited	Nil	Nil	Rs. 37,000	Rs. 1,15,000	Rs. 30,000

### 11.3 Special Judge (Central) II, Karachi

Performance							
CASE LOAD	1996	1997	1998	1999	2000	2001	2002
Previous Pending	194	214	229	299	402	438	425
Institution	126	109	126	126	120	207	291
Disposition	106	94	23	23	84	220	194
Pending Balance	214	229	402	402	438	425	522
Budget and Fines Deposited							
Annual Budget	Rs. 5,53,000	Rs. 6,03,000	Rs. 6,44,000	Rs. 6,92,000	Rs. 6,61,000	Rs. 6,91,000	Rs. 7,84,000
Fine Deposited	Rs. 6,00,000	Rs. 6,83,000	Rs. 16,35,315	Rs. 75,308	Rs. 10,76,883	Rs. 6,71,030	Rs. 23,56,400

The presiding officers during this period were as follows:

Year	Presiding Officer
1996	Nadir Hussain Shah
1997	Mr Afzal Khan
1998	Mr Afzal Khan
1999	Mr Afzal Khan
2000	Munir A. Khawaja
2001	Munir A. Khawaja
2002	Munir A. Khawaja

## 11.4 Special Judge (Central) Hyderabad

<b>SPECIAL JUDGE (CENTRAL) HYDERABAD: PERFORMANCE</b>						
Year	Previous Balance	Institution	Total	Disposal	Pending Balance	
1996	82	12	94	58	36	
1997	36	20	56	19	37	
1998	37	73	110	54	56	
1999	56	42	98	6	92	
2000	92	32	124	7	117	
2001	117	24	141	4	137	
2002	137	17	154	21	133	

Presiding Officer	Period
Mr. Rehmat Hussain Jafferi	1996-97
Mr. Akbar M. Memon	1997-98
Mr. Lal Muhammad Khero	1998-99
Mr. Lal Muhammad Khero	1999-00
Mr. Lal Muhammad Khero	2000-01
Mr. Lal Muhammad Khero	2001-02

Period	Budget
1996-97	6,69,000
1997-98	6,78,000
1998-99	6,58,000
1999-00	7,99,000
2000-01	8,86,000
2001-02	8,42,000

## 11.5 Special Judge (Central) Multan

<b>SPECIAL JUDGE (CENTRAL) MULTAN: PERFORMANCE</b>						
Year	Details	Previous Balance	Institution	Total	Disposal	Pending Balance
1998-99		267	79	346	53	293
1999-2000		293	79	372	38	334
2000-July	Complete Challan/Complaint	334	3	337	10	327
	Incomplete	86	2	88	2	86
	Bail applications	88	23	111	70	41
	Misc.	16	3	19	2	17
	Proceeding u/s 514	29	-	29	3	26
	<b>Total :-</b>	553	31	583	87	496
2000-2001		553	356	909	421	488
2001-2002		488	246	734	372	362
2002-2003		362	280	642	335	307

<b>SPECIAL JUDGE (CENTRAL) MULTAN: BUDGET</b>		
<b>Year</b>	<b>Sanctioned Budget</b>	<b>Expenditure</b>
1998-1999	827,000	766,771
1999-2000	907,345	905,148
2000-2001	1,173,500	1,170,223
2001-2002	1,387,500	1,386,780
2002-2003	1,582,000	1,581,150
<b>Total:</b>	<b>5,877,345</b>	<b>5,810,072</b>

## 11.6 Special Judge (Central) Lahore

<b>SPECIAL JUDGE (CENTRAL) LAHORE: PERFORMANCE</b>				
<b>Year</b>	<b>Previous Balance</b>	<b>Institution</b>	<b>Disposal</b>	<b>Pending Balance</b>
1999	391	231	173	449
2000	449	151	208	392
2001	392	335	167	560
2002	560	599	214	945
2003	945	391	134	1202

<b>Budget Year</b>	<b>Sanctioned Budget</b>
1998-1999	873,000
1999-2000	857,000
2000-2001	1,022,000
2001-2002	974,000
2002-2003	1,247,000

## 11.7 Special Judge (Central) Faisalabad

<b>SPECIAL JUDGE (CENTRAL) FAISALABAD: PERFORMANCE</b>			
<b>Year</b>	<b>Institution</b>	<b>Disposal</b>	<b>Pending Balance</b>
1998	172	119	262
1999	99	132	229
2000	134	120	243
2001	141	175	209
2002	169	93	285

<b>Budget Year</b>	<b>Sanctioned Budget</b>	<b>Expenditure</b>
1998-1999	869,353	78,09,808
1999-2000	941,350	9,98,124
2000-2001	1,045,000	1,028,385
2001-2002	1,040,000	113,110
2002-2003	1,260,756	1,195,682

The Presiding Officer from 25.10.1997 to 17.09.2002 was Mr. Khan Talib Hussain Baloch, from 17.09.2002 to 10.12.2002 it was Mr. Javed Nawaz Choudhry, and Mr. Saif-ur Rehman Khan is the Presiding Officer from 11.12.2002 till date.

## 11.8 Special Judge (Central) Rawalpindi

<b>SPECIAL JUDGE (CENTRAL) RAWALPINDI: PERFORMANCE</b>					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1998	487	345	832	293	539
1999	539	131	670	53	617
2000	617	600	1,217	211	1,006
2001	1,006	425	1,431	388	1,043
2002	1,043	537	1,580	151	1,429
2003	1,429	306	1,735	294	1,441
2004	1,441	19	1,460	17	1,443

Budget Year	Sanctioned Budget
1998	920,000
1999	800,000
2000	966,000
2001	958,000
2002	1,135,000
2003	1,270,000

## 11.9 Special Judge (Central) Peshawar

<b>SPECIAL JUDGE (CENTRAL) PESHAWAR: PERFORMANCE</b>					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
<b>1998</b>					
Anti-Corruption cases	32	19	51	16	35
Immigration cases	28	31	59	34	25
<b>1999</b>					
Anti-Corruption cases	35	24	59	13	46
Immigration cases	25	56	81	61	21
<b>2000</b>					
Anti-Corruption cases	46	15	61	23	38
Immigration cases	21	53	74	35	39
<b>2001</b>					
Anti-Corruption cases	38	23	61	44	17
Immigration cases	39	61	100	92	8
<b>2002</b>					
Anti-Corruption cases	17	33	50	30	20
Immigration cases	8	45	53	43	10
<b>2003 (Upto 30-6-2003)</b>					
Anti-Corruption cases	20	3	23	14	9
Immigration cases	10	1	11	11	Nil

Code Classification	1998-1999		1999-2000		2000-2001		2001-2002		2002-2003	
	Budget	Expend.	Budget	Expend.	Budget	Expend.	Budget	Expend.	Budget	Expend.
01100-Pay of Officer	149,940	149,940	155,220	155,220	149,622	149,622	163,000	226,830	317,640	317,640
012000-Pay of staff	237,210	237,210	245,125	245,125	260,500	260,500	256,000	322,068	400,032	400,032
02000-Regn: Allowance	161,493	161,493	211,813	211,813	257,837	257,837	253,000	279,140	264,652	264,652
03000-Other Allowance	30,600	30,600	44,600	44,600	26,000	26,000	86,212	82,812	26,600	26,600
<b>Total:</b>	<b>579,243</b>	<b>579,243</b>	<b>656,758</b>	<b>656,758</b>	<b>693,959</b>	<b>693,959</b>	<b>758,212</b>	<b>910,850</b>	<b>1,008,924</b>	<b>1,008,924</b>
12000-Purchase of Machinery	65,000	65,000	-	-	30,000	25,330	-	-	-	-
13000-Purchase of Furniture	-	-	-	-	30,000	24,410	-	-	10,000	10,000
<b>Total:</b>	<b>65,000</b>	<b>65,000</b>	<b>-</b>	<b>-</b>	<b>60,000</b>	<b>49,740</b>	<b>-</b>	<b>-</b>	<b>10,000</b>	<b>10,000</b>
41000-Repair of transport	47,245	47,245	20,000	20,000	15,000	15,000	19,000	19,000	15,000	15,000
42000-Repair of Machinery	494	494	-	-	3,000	2,550	1,000	1,000	1,000	1,000
43000-Repair of Furniture	-	-	-	-	2,000	2,000	-	-	-	-
<b>Total:</b>	<b>47,739</b>	<b>47,739</b>	<b>20,000</b>	<b>20,000</b>	<b>20,000</b>	<b>19,550</b>	<b>20,000</b>	<b>20,000</b>	<b>16,000</b>	<b>16,000</b>
51100-TA.DA.	45,000	45,000	40,000	40,000	20,000	20,000	63,305	63,305	45,000	45,000
51200-Transportation	-	-	-	-	-	-	-	-	-	-
51300-P.O.L. Charges	38,000	38,000	50,000	48,750	52,000	52,000	67,000	67,000	75,000	75,000
51400-Conveyance ch.	2,000	2,000	2,000	2,000	2,000	2,000	3,000	3,000	3,000	3,000
52100-Postage.	2,000	2,000	2,000	2,000	2,000	2,000	3,000	3,000	3,000	3,000
52200-Telephone	64,000	64,000	47,242	47,242	44,000	44,000	52,000	52,000	50,000	50,000
52400-Pilot & courier service	-	-	-	-	-	-	-	-	-	-
53300-Electricity	16,000	16,000	18,000	18,000	3,000	3,000	10,000	10,000	5,000	5,000
53400-Hot & Cold w/ch	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
54000-Stationery	3,000	3,000	6,000	6,000	3,000	3,000	5,000	5,900	5,000	5,000
55000-Printing	-	-	4,000	4,000	1,000	1,000	1,000	1,000	1,000	1,000
56000-Newspaper & Books	5,000	5,000	3,000	3,000	3,000	3,000	10,000	10,000	8,000	8,000
58600-Rent Rate & Taxes	-	-	-	-	-	-	-	-	-	-
59900-Other	3,000	3,000	3,000	3,000	3,000	3,000	2,000	2,000	1,000	1,000
<b>Total:</b>	<b>179,000</b>	<b>179,000</b>	<b>176,242</b>	<b>174,992</b>	<b>134,000</b>	<b>134,000</b>	<b>217,305</b>	<b>218,205</b>	<b>197,000</b>	<b>197,000</b>
<b>Grand Total:</b>	<b>870,982</b>	<b>870,982</b>	<b>853,000</b>	<b>851,750</b>	<b>907,959</b>	<b>897,089</b>	<b>995,517</b>	<b>1,149,055</b>	<b>1,231,924</b>	<b>1,231,924</b>

non-tax receipt statement for the last five years					
Head of Account	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003
1230000-1231000-1231003-Fine	Rs. 3,67,475	Rs. 2,13,000	Rs. 1,09,000	Rs. 1,57,900	Rs. 4,23,450

THIS PAGE BLANK

# DRUG COURTS





## 12 DRUG COURTS

### 12.1 The Drug Courts

Nine Drug Courts are functioning under the Drugs Act, 1976. Each Court is presided over a Chairman (BPS-20). Chairmen have been appointed by the Federal Government at the Courts in Lahore, Rawalpindi, Faisalabad and Bahawalpur. Funds for the Courts are provided by the Provincial Government. Chairmen working on a full-time basis have been appointed from the Provincial Judiciary on deputation, while duties for the part-time Courts at Peshawar and Quetta have been assigned to Judges from the Federal Courts in addition to their own duties. Each Drug Court also consists of two part-time members, who are experts in the fields of medicine and pharmaceuticals, in the opinion of the Federal Government. The names of Presiding Officers are given below:

S.No.	Location of the Court	Name of Presiding Officer
1	Karachi	Syed Hasan Shah Bukhari (on contract)
2	Gujranwala( H.Q. at Lahore)	Dr. Riaz Mahmood (on deputation)
3	Multan	Mr. Ahamad Bakhsh Bapa (on contract)
4	Lahore	Mr. Alla Ditta Khalid (on deputation)
5	Faisalabad	Syed Mumtaz Hussain Shah (on contract)
6	Rawalpindi	Mirza Abdur Rehman (on contract)
7	Bahawalpur	Syed Kazim Raza Shamsi (on deputation)
8	Peshawar	Presided over by Mr. Muhammad Safdar Khan, Customs Judge.
9	Quetta (Part-time)	Presided over by Mr. Muhammad Naeem Khakhar, Judge Accountability Court

### 12.2 Drug Court Karachi

DRUG COURT KARACHI: PERFORMANCE			
Year	Institution	Disposal	Pending Balance
1997	81	–	243
1998	2	4	241
1999	105	18	324
2000	19	36	297
2001	33	162	187
2002	181	207	157

DRUG COURT KARACHI: BUDGET		
Year	Budget/Fine	Presiding Officer
1997	Rs. 12,000	Mr. Jehangir S. Bhatti
1998	Rs. 43,100	Mr. Muhammad Afzal Khan
1999	Rs. 105	Mr. Muhammad Afzal Khan
2000	Rs. 131,500	Mr. Muhammad Afzal Khan and Mr. Ali Nawaz Channa
2001	Rs. 373,259	Mr. Ali Nawaz Channa
2002	Rs. 549,019	Mr. Ali Nawaz Channa and Mr. S. Hassan Shah Bukhari
<b>Total</b>	<b>1,108,983</b>	

### 12.3 Drug Court Quetta

<b>DRUG COURT QUETTA: PERFORMANCE</b>			
Year	Institution	Disposal	Pending Balance
1999 to 2003	42	26	16

<b>DRUG COURT QUETTA: BUDGET</b>				
Presiding Officer		Year	Budget	Expenditure
Muhammad Khan	Nadir	1999-2000	851,000	6,600
Muhammad Khan	Nadir	2000-2001	1,171,000	56,274
Muhammad Khan	Nadir	2001-2002	241,000	446
Muhammad Khan	Nadir	2002-2003	39,000	Nil

### 12.4 Drug Court Gujranwala

<b>DRUG COURT GUJRANWALA: PERFORMANCE</b>			
Year	Institution	Disposal	Presiding Officer
1999	1437	397	Mr. Justice Aqil Mirza
2000	1001	717	Mr. Pervaiz Ali Chawla
2001	409	638	Mr. Pervaiz Ali Chawla
2002	146	235	Mr. Pervaiz Ali Chawla
2003	173	78	Dr. Riaz Mahmood

<b>DRUG COURT GUJRANWALA: BUDGET</b>	
Year	Budget
1998-1999	1,145,000
1999-2000	1,782,000
2000-2001	2,132,000
2001-2002	1,468,000
2002-	1,702,000

### 12.5 Drug Court Multan

<b>DRUG COURT MULTAN: PERFORMANCE</b>					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1998	1419	Nil	1419	Nil	1419
1999	1419	788	2207	423	1784
2000	1784	720	2504	687	1817
2001	1817	493	2310	445	1865
2002	1865	154	2019	249	1770
2003	1770	1168	2938	101	2837

DRUG COURT MULTAN: BUDGET	
Year	Budget
1998-1999	803,000
1999-2000	841,000
2000-2001	1,207,000
2001-2002	1,114,000
2002-2003	1,261,000

## 12.6 Drug Court Peshawar

DRUG COURT PESHAWAR: PERFORMANCE					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1998	67	79	146	60	86
1999	86	162	248	142	106
2000	106	217	323	195	128
2001	128	425	553	469	84
2002	84	404	488	474	14
upto 30-6-2003	14	267	281	234	47

SPECIAL JUDGE (CENTRAL) PESHAWAR: BUDGET										
Code Classification	1998-1999		1999-2000		2000-2001		2001-2002		2002-2003	
	Budg	Exp	Budg	Exp	Budg	Exp	Budg	Exp	Budg	Exp
01100-Pay of Officer	9,840	9,840	9,840	9,840	114,240	38,040	18,000	18,000	18,000	18,000
012000-Pay of staff										
02000-Regu: Allowance										
03000-Other Allowance					59,000	21,000	44,000	44,000	39,200	39,200
<b>Total:</b>	<b>9,840</b>	<b>9,840</b>	<b>9,840</b>	<b>9,840</b>	<b>173,240</b>	<b>59,040</b>	<b>62,000</b>	<b>62,000</b>	<b>57,200</b>	<b>57,200</b>
<b>Grand Total:</b>	<b>9,840</b>	<b>9,840</b>	<b>9,840</b>	<b>9,840</b>	<b>173,240</b>	<b>59,040</b>	<b>62,000</b>	<b>62,000</b>	<b>57,200</b>	<b>57,200</b>

non-tax receipt statement for the last five years					
Head of Account	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003
1230000-1231000- 1231003-Fine	658,000	1,191,500	1,349,800	1,598,600	2,104,500

## 12.7 Drug Court Lahore

DRUG COURT LAHORE: PERFORMANCE					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1999	302	110	412	93	319
2000	319	714	1033	468	565
2001	565	628	1193	1008	185
2002	185	261	446	246	200
2003	200	702	902	541	361

DRUG COURT LAHORE: BUDGET	
Year	Budget
1999-2000	1,583,000
2000-2001	1,384,250
2001-2002	1,258,750
2002-2003	1,715,000
2003-2004	3,735,250

## 12.8 Drug Court Faisalabad

DRUG COURT FAISALABAD: PERFORMANCE					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1-9-1999 to 30-6-2000	571	715	1286	617	669
1-7-2000 to 30-6-2001	669	689	1358	637	721
1-7-2001 to 30-6-2002	721	339	1060	667	393
1-7-2002 to 30-6-2003	393	391	784	165	619

DRUG COURT FAISALABAD: BUDGET			
Year	Budget	Expenditure	Balance/Lapse
1998-1999	1,159,333	633,722	525,611
1999-2000	878,333	855,281	23,052
2000-2001	1,245,500	921,434	324,066
2001-2002	1,245,500	1,545,481	Excess 2,99,981
2002-2003	1,600,000	1,224,831	375,169
2003-2004	3,300,250		

## 12.9 Drug Court Rawalpindi

DRUG COURT RAWALPINDI: PERFORMANCE					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1998	—	—	—	—	—
8-1999 to 12-99	193	59	252	58	194
2000	194	308	502	338	164
2001	164	276	440	395	45
2002	45	176	221	169	52
30-6-2003	52	53	105	44	61

Year.	Pay of Officer	Pay of Est.	Regular Allow	Other Allow	Purchase of Durable Goods	Repair / Maintenance of Durable Goods	Commodities & Services	Total
1998-1999	100,000	66,666	168,331	4,665	646,666	3,334	169,676	1,159,338
1999-2000	320,000	218,333	1,68,333	4,000	Nil	3,333	878,333	1,592,332
2000-2001	337,500	210,000	283,000	6,000	Nil	4,000	405,000	1,245,500
2001-2002	337,500	210,000	283,000	6,000	Nil	4,000	405,000	1,245,500
2002-2003	506,250	315,000	268,250	6,000	Nil	5,000	429,000	1,529,250
2003-2004	138,250	547,250	382,250	103,500	435,000	100,000	1,129,000	3,300,250

## 12.10 Drug Court Bahawalpur

DRUG COURT BAHAWALPUR: PERFORMANCE					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
2001		1,741	1,741	328	1,413
2002	1,413	237	1,650	909	741
2003	741	279	1,020	381	639

Year	Pay & Allow		Purch of Dur		Repair of D. Goods		Commod & Serv		Total	
	Budget	Expd	Budget	Expd	Budget	Expd	Budget	Expd	Budget	Expd
2000-2001	836,500	13,138	-	-	4,000	1,940	405,000	40,380	1,245,500	136,160
2001-2002	975,250	1,281,037	-	-	4,000	2,720	405,000	217,456	1,384,250	1,501,213
2002-2003	1,466,000	1,483,094	600,000	576,142	5,000	4,909	454,000	267,827	2,525,000	2,331,973

THIS PAGE BLANK

# ANTI-TERRORISM COURTS

THIS PAGE BLANK



## 13 ANTI-TERRORISM COURTS

Reports received for Anti-Terrorism Courts from the Punjab, NWFP and Balochistan are presented below.

### 13.1 Anti-Terrorism Courts in the Punjab

#### 13.1.1 Anti-Terrorism Court No. 1, Lahore

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	6	143	83	2	14	4	46	50
1998	4	45	37	3	11	8	40	48
1999	2	84	51	4	39	5	35	40
2000	-	153	28	-	100	5	60	65
2001	1	175	108	-	96	4	32	36
2002	1	36	-	2	48	3	20	23
<b>2003 (31.8.03)</b>	—	<b>42</b>	—	<b>3</b>	<b>44</b>	—	<b>18</b>	<b>18</b>

#### 13.1.2 Anti-Terrorism Court No. 2, Lahore

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	8	97	—	2	6	6	91	97
1998	16	181	38	6	43	10	100	110
1999	10	460	52	1	53	9	55	64
2000	14	189	33	5	79	9	77	86
2001	15	205	91	11	89	4	25	29
2002	9	28	—	9	7	-	21	21
<b>2003 (31.8.03)</b>	<b>1</b>	<b>64</b>	<b>10</b>	—	<b>35</b>	<b>1</b>	<b>19</b>	<b>20</b>

#### 13.1.3 Anti-Terrorism Court No. 3, Lahore

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	—	—	—	—	—	—	—	—
1998	5	31	9	—	20	8	26	34
1999	3	93	21	2	75	9	23	32
2000	1	31	9	1	18	9	27	36
2001	—	178	108	1	64	8	34	42
2002	2	28	5	7	58	3	19	22
<b>2003 (31.8.03)</b>	<b>2</b>	<b>39</b>	<b>9</b>	<b>2</b>	<b>26</b>	<b>2</b>	<b>24</b>	<b>26</b>

#### 13.1.4 Anti-Terrorism Court No. 4, Lahore

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	—	—	—	—	—	—	—	—
1998	—	—	—	—	—	—	—	—
1999	—	—	—	—	—	—	—	—
2000	148		9	—	52	7	80	87
2001	152	87	129	7	74	3	26	29
2002	45	29	9	2	41	6	16	22
<b>2003 (31.8.03)</b>	<b>22</b>	<b>28</b>	<b>2</b>	—	<b>28</b>	<b>7</b>	<b>13</b>	<b>20</b>

#### 13.1.5 Anti-Terrorism Court No. 1, Gujranwala

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	—	—	—	—	—	—	—	—
1998	274		172	3	51	—	48	48
1999	277		132	—	73	—	72	72
2000	323		81	3	138	—	101	101
2001	380		211	6	121	—	42	42
2002	161		45	11	54	—	51	51
<b>2003 (31.8.03)</b>	<b>99</b>		<b>17</b>	—	<b>35</b>	—	<b>47</b>	<b>47</b>

#### 13.1.6 Anti-Terrorism Court No. 2, Gujranwala

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	—		—	—	—	—	—	—
1998	203		88	2	48	6	59	65
1999	227		18	5	96	4	104	108
2000	363		29	3	99	4	228	232
2001	468		383	1	51	6	27	33
2002	221		114	—	78	2	27	29
<b>2003 (31.8.03)</b>	<b>84</b>		<b>10</b>	—	<b>30</b>	<b>2</b>	<b>42</b>	<b>44</b>

#### 13.1.7 Anti-Terrorism Court No. 1, Rawalpindi

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	—		—	—	—	—	—	—
1998	—		—	—	—	—	—	—
1999	72		164	1	30	5	80	85
2000	172		55	4	72	4	122	126
2001	47		75	4	66	3	25	28
2002	40		5	3	44	2	14	16
<b>2003 (22.9.03)</b>	<b>40</b>		<b>6</b>	—	<b>23</b>	<b>3</b>	<b>24</b>	<b>27</b>

### 13.1.8 Anti-Terrorism Court No. 2, Rawalpindi

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1999	91		18	1	14	8	50	58
2000	267		18	10	90	4	145	149
2001	268		172	8	68	1	19	20
2002	73		6	15	33	1	18	19
<b>2003 (22.9.03)</b>	<b>45</b>		<b>5</b>	<b>2</b>	<b>19</b>	<b>2</b>	<b>17</b>	<b>19</b>

### 13.1.9 Anti-Terrorism Court Sargodha

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	432		94	1	7	30	300	330
1998	391		204	3	80	31	73	104
1999	230		33	30	78	3	86	59
2000	283		73	3	85	4	118	122
2001	217		112	4	47	3	51	54
2002	107		37	1	58	2	9	11
<b>2003 (30.8.03)</b>	<b>66</b>		<b>3</b>	<b>5</b>	<b>4</b>	<b>5</b>	<b>4</b>	<b>9</b>

### 13.1.10 Anti-Terrorism Court Faisalabad

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	203	—	83	—	13	25	102	127
1998	127	180	150	5	30	20	102	122
1999	122	139	80	6	49	20	106	126
2000	126	173	20	1	83	22	168	190
2001	190	249	218	12	80	3	126	129
2002	129	103	103	1	106	4	18	22
<b>2003 (31.8.03)</b>	<b>22</b>	<b>75</b>	<b>14</b>	<b>2</b>	<b>30</b>	<b>4</b>	<b>47</b>	<b>51</b>

### 13.1.11 Anti-Terrorism Court Bahawalpur

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	—		—	—	—	—	—	—
1998	159		57	18	47	14	23	37
1999	144		24	1	73	23	23	46
2000	176		16	2	104	22	32	54
2001	290		150	7	100	18	15	33
2002	147		3	24	39	33	48	81
<b>2003</b>	<b>76</b>		<b>3</b>	<b>3</b>	<b>23</b>	<b>14</b>	<b>33</b>	<b>47</b>

### 13.1.12 Anti-Terrorism Court No. 1, Multan

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	—		—	—	—	—	—	—
1998	—		—	—	—	—	—	—
1999	122		40	3	25	17	33	50
2000	50	117	18	5	24	20	100	120
2001	120	127	196	15	120	24	36	60
2002	60	44	16	14	48	12	14	26
<b>2003 (31.8.03)</b>	<b>26</b>	<b>30</b>	<b>1</b>	<b>3</b>	<b>16</b>	<b>10</b>	<b>26</b>	<b>36</b>

### 13.1.13 Anti-Terrorism Court No. 2, Multan

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997	—		—	—	—	—	—	—
1998	154		85	6	5	16	42	58
1999	63		19	6	50	24	22	46
2000	164		6	10	119	16	59	75
2001	920		278	19	645	20	33	53
2002	111		14	37	30	11	19	30
<b>2003 (31.8.03)</b>	<b>59</b>		<b>3</b>	<b>6</b>	<b>16</b>	<b>17</b>	<b>15</b>	<b>32</b>

### 13.1.14 Anti-Terrorism Court D.G. Khan

Year	Institution		Cases Transf. to Ord. Ct.	Disposed		Under Trial		Total pendency
	Sect.	Others		Sect	Others	Sect.	Others	
1997-2003	—		—	—	—	—	—	—

## 13.2 Anti-Terrorism Courts in the NWFP

### 13.2.1 Anti-Terrorism Court Bannu (May, 2002 to 31st July, 2003)

S.No.	FIR No. & Date	Name of Accused	Offence u/section	No. of Witnesses Examined	Acquitted	Convicted	Remarks
1	231, dated 25.4.2002, Bannu	Muhammad Rehman etc.	364A/368PPC	—	—	—	Muhammad Rehman and Haseeb Ullah were convicted and awarded seven years RI with fine of Rs.5000/- Resheed has been acquitted.
2	503, dated 3.12.2001, Bannu	Wilayat Ullah etc.	324/353/316 PPC	—	—	—	Umar Ayaz and Ismail were acquitted. Muhammad Subhan, Anwar Kamal and Shafiqullah alias prang were convicted for seven year RI with fine of Rs.20,000/-.
3	81, dated, 13.6.2003, Bannu.	Mir Sahib etc.	302,324,PPC	—	—	—	Accused declared P.Os under Section 512 CrPC.
4	320,dated, 27.12.2002 Bannu.	Razzaq etc.	302,324,353 PPC	—	—	—	Accused declared P.Os under Section 512 CrPC.
5	208, dated 20.7.2002 Bannu	Naseeb Nawaz etc.	324,427 PPC,3/4 Exp. Act	—	—	—	Accused declared as P.Os under Section 512 CrPC.
6	363, dated 24.7.2002, Bannu.	Muhammad Ali etc.	302,324 PPC	—	—	—	Accused declared as P.Os under Section 512 CrPC.

### 13.2.2 Anti-Terrorism Court D. I. Khan (May, 2002 to 31st July, 2003)

S.No.	FIR No. & Date	Name of Accused	Offence u/section	No. of Witnesses Examined	Acquitted	Convicted	Remarks
1	404, dated 26.7.2001, DIKhan	Ghulam Hashim etc.	302/34/PPC	—	—	—	Case transferred on 15.5.2003 to District and Sessions Judge for trial.
2	262, dated 21.5.2001, DIKhan	1. Amjad 2. Taimur 3. Kamran	324/34/PPC	—	—	1. Amjad 2. Taimur 3. Kamran	Taimur and Kamran awarded by 7/7 years RI and fine Rs.50,000/- each in default SI for six months while Amjad accused awarded six months RI on 16.5.2002.
3	264,dated 21.5.2001, DIKhan	1. Jehangir 2. Javed 3. Waris 4. Taimur	324/34/PPC	—	1. Jehangir 2. Javed 3. Waris 4. Taimur	—	Due to deficient evidence on 16.5.2002 all the accused were acquitted.
4	143, dated 5.4.2001, DIKhan	1. Manzoor Hussain 2. Saghir Abbas etc	324/34/PPC	—	1. Manzoor Hussain 2. Saghir Abbas	—	Acquitted due to compromise on 18.5.2002.
5	404, dated 28.7.2001 DIKhan	1. Abdul Ayub 2. Zafar Ali 3. Rehmatullah	17(3)Haraba	—	—	1. Abdul Ayub 2. Zafar Ali 3. Rehmatullah	The first two accused were been sentenced to 3 years RI and fine of Rs. 6000/- each. The third accused Rehmatullah was declared a proclaimed offender vide Order dated 20.6.2002.

6	50, dated 9.4.2002, DIKhan	1. Abdul Sattar 2. Aftab Alam 3. Ziaur Rehman	4/5 Expl Act, 13 AO, 7 ATA	—	—	1. Abdul Sattar 2. Aftab Alam 3. Ziaur Rehman	All the accused convicted on 27.6.2002 and sentenced to 7/7 years RI each.
7	131, dated 21.3.2001, DIKhan	1. Taimur 2. Aslam etc.	324/34/PPC	—	1. Aslam 2. Alamgir	1. Taimur	Accused Taimor has been convicted and sentenced for 14 years RI with with fine of Rs.50,000/- in default S.I for 5 years vide Order dated 10.6.2002.
8	175,dated 21.3.2001, DIKhan	1. Abdul Ghaffar etc	395 PPC	—	—	1. Abdul Ghaffar 2. Mohd Ishaq 3. Mohd Rafiq 4. Mohd Riaz 5. In-ayatullah 6. Arif	All the accused have been convicted and sentenced to 10/10 years RI and fine of Rs.40,000/-each, in default S.I for 3 years on 11.6.2002.
9	145,dated 21.3.2001, DIKhan	1. Mohd. Aslam	302/512 Cr.PC	—	—	—	The accused has been declared P.O. (June 2002)
10	259, dated 16.10.2001, DIKhan	1. Ilyas 2. Momin	17(3) Haraba	—	—	1. Ilyas 2. Momin	Both the accused are convicted and sentenced 10/10 years RI and Rs.40,000/- fine each in default S.I for 2 1/2 years. (June 2002)
11	148, dated 22.3.2001, DIKhan	Ziaullah etc	324 PPC	—	—	—	All the accused were acquitted on the basis of compromise. (June 2002)
12	144, dated 21.3.2001, DIKhan	Qaisar Khan etc	302/324 PPC	—	—	—	All the accused were acquitted on basis of compromise. (June 2002)
13	364, dated 1.3.2001, DIKhan	Khalil ur Rehman etc.	324 PPC	—	—	—	All the accused were acquitted on basis of compromise. (June 2002)
14	173, dated 12.12.2001, DIKhan	Raza Din etc	17(3) Haraba	12	—	1. Raza Din 2. Babreh	Both the accused are convicted and sentenced 10 years RI each and fined Rs.40,000/- each in default 10 years S.I. (June 2002)
15	113,dated 2.9.2001, DIKhan	1. Nasarullah etc.	392/411 PPC	8	—	All accused	All the six accused were acquitted by the Court on 11.7.2001.
16	304, dated 21.5.2001, DIKhan	1. Nisar & Waris etc	302/304 PPC	12	1. Alamgir 2. Waris	1. M Nisar 2. M. Javed	Two accused have been awarded death sentence while two other were acquitted. (July 2002)
17	449, dated 13.9.2001, DIKhan	1. Abdul Rauf etc	302/34 PPC	—	All accused	—	Due to compromise between the parties all the accused were acquitted on 6.7.2002.
18	94, dated 12.3.2001, DIKhan	1. Fidaullah etc	382/34 PPC	16	1. Fida Ullah 2. Ghaffar Ali 3. Rehmatullah	1. Laiq Zaman	On 8.7.2002 the accused Laiq Zaman was awarded 5 years RI and fine of Rs.40,000/- in default ten years SI.
19	22, dated 8.2.2002, DIKhan	1. Sher Zaman etc	20 Haraba	8	Sher Zaman	1. Qayyum 2. Hayatullah	On 8.7.2002 two accused awarded 4 years RI each and fine of Rs.20,000/- each in default 5 years SI.
20	151, dated 30.7.2001, DIKhan	1. Gul Zaman etc	17(3) Haraba	16	—	1. Gul Zaman 2. Sohail 3. Atta Ullah	On 17.8.2002 all the accused awarded 8 years RI each and Rs.20,000/- fine each, in default 5 years SI.

21	151, dated 24.3.2001, DIKhan	1. Arshad Ansari etc	302/324 PPC	27	All accused	—	On 17.8.2002 all the accused were acquitted due to benefit of doubt.
22	263, dated 21.5.2001, DIKhan	1. Zafar 2. Mujeeb etc	302/34 PPC	—	All accused	—	On 15.8.2002 all the accused were acquitted due to benefit of doubt.
23	42, dated 4.6.2002, DIKhan	1. Sher Zaman 2. Khandan Gul	17(3) & (4) Haraba	11	—	Both accused	On 20.8.2002 both the accused were awarded five years RI and Rs. 10,000/- fine each, in default 2-1/2 years SI.
24	46, dated 17.4.2001, DIKhan	1. Mohd Azam 2. Said Rehman	365/364A PPC	12	—	Both	On 31.8.2002 both the accused were awarded life imprisonment and a fine of Rs.30,000/- each, in default 7 years SI.
25	89, dated 22.7.2001, DIKhan	1. Aftab 2. Wazir Khan 3. Sahar Gul 4. Gul Zaman 5. Hayatullah 6. Ajmal	382/20 Haraba	10	5	1	On 6.9.2002 accused Wazir Khan was awarded five year RI and Rs. 10,000/- as fine, in default 2 years SI.
26	388, dated 2.9.2001, DIKhan	1. Hanifullah 2. Aslam 3. Salahuddin	452/386/34PPC	12	1. Aslam 2. Salahuddin	1. Hanifullah 2. Hameedullah	On 21.9.2002 accused Hanif Ullah and Hameed Ullah were awarded 12 years RI each and Rs.20,000/- fine each, in default 6 years SI, while two accused Aslam and Salahuddin released.
27	2, dated 27.1.2003, DIKhan	Nil	13 AO	—	—	—	Accused Awarded five years RI and Rs.5000/- fine in default 6 months SI on 29.4.2003.
28	42, dated 24.4.2000 DIKhan	1. Saifullah 2. Naimatullah 3. Taimur	324/353 PPC	14	—	3	On 22.10.2002 the accused has been convicted with 8 years RI and Rs.10,000/- fine for each accused.
29	442, dated 2.10.2001, DIKhan	1. Ilyas 2. Allah Noor etc 3. Habibullah	392PPC/20 Haraba	14	—	—	Accused convicted with 4 years RI each and fine of Rs.10,000/- each on 16.1.2003
30	464, dated 11.10.2001, DIKhan	1. Zarmat 2. Bashir 3. Asad Noor 4. Amin	382/452/PPC/20 Haraba	11	—	—	On 16.1.2003 the accused convicted 5 years RI each and Rs.8000/- each as fine.
31	435, dated 28.9.2001, DIKhan	1. Shakir 2. Saadullah	365 PPC	7	—	—	The accused Shakir Convicted for life imprisonment and fine of Rs.5000/- while the others were declared P.Os on 14.10.2002.
32	649, dated 16.12.2000, DIKhan	1. Rehmatullah 2. Naimatullah etc	395 PPC	11	—	—	All accused convicted with 6 years RI each and Rs.20,000/- as fine for each on 20.1.2003.
33	545, dated 16.11.2001, DIKhan	1. Bahir 2. Amir Khan etc	17(4) Haraba	11	—	—	One accused Amir Khan acquitted while the others declared P.Os on 26.5.2003.
34	26, dated 1.4.2002, DIKhan	1. Mohd Hanif 2. Moeenuddin etc	17(3) Haraba 382 PPC	—	—	—	Accused convicted with 5 years RI each and fine of Rs.5,000/- each on 2.6.2003.
35	64, dated 27.5.2002, DIKhan	1. Sikandar Shah 2. Ghulam Murtaza	365(A) PPC	—	—	—	Two accused convicted for life imprisonment while the other declared P.O on 23.1.2003.
36	263, dated 15.9.2002, DIKhan	1. Hanif 2. Moinuddin 3. Nadeem	365(A)/392 PPC	—	—	—	All three accused awarded punishment of life imprisonment on 17.3.2003.

37	50, dated 9.4.2002, DIKhan	1. Abdul Sattar 2. Aftab 3. Ziauddin	3/4 Explosives Act, 13AO	—	—	—	All three accused awarded 12 years RI each and fine of Rs.30,000/- each on 10.2.2003.
38	361, dated 11.10.2002, DIKhan	1. Mushtaq 2. Kifayatullah	302/324/353 PPC 17(4) Haraba	—	—	—	On 4.6.2003 the accused were acquitted due to benefit of doubt.
39	435, dated 26.9.2001, DIKhan	1. Shakirullah	365 PPC	—	—	—	Accused convicted with life imprisonment on 2.4.2003.
40	265, dated 15.9.2002, DIKhan	1. Moeenuddin	13 AO	—	—	—	Accused convicted under section 7 for seven years and 5 years under 13AO on 29.4.2003.
41	266, dated 15.9.2002, DIKhan	1. Nazir	13 AO	—	—	—	Accused convicted under section 7 for seven years and 5 years under 13AO on 29.4.2003.
42	13, dated 23.1.2002, DIKhan	1. Shamsullah	17(3) Haraba	—	—	—	On 16.6.2003, the accused was awarded life imprisonment.
43	229, dated 24.5.2000, DIKhan	1. Khan Zaman 2. Aftab 3. Mir Alam 4. Malik Khan	—	—	—	—	On 23.6.2003 two accused acquitted while two accused declared P.Os.
44	98, dated 27.2.2002, DIKhan	1. Gul Amin 2. Khial Badshah 3. Noor Zaman	302/353 PPC	—	—	—	Accused declared P.Os on 16.5.2003.
45	264, dated 15.9.2002, DIKhan	1. Muhammad Hanif	13AO	—	—	—	Accused convicted under Section 7 for seven years and 5 years under 13AO on 29.4.2003.
46	10, dated 28.1.2003, DIKhan	1. Mir Ahmed 2. Shahbaz 3. Ahmed Ali	—	—	—	—	On 5.5.2003 Mir Ahmed acquitted while other were declared P.O.s
47	259, dated 18.6.2000, DIKhan	1. Rashidur Rehman	302PPC	—	—	—	On 29.5.2003 accused awarded death sentence for three times and fine of Rs.100000/- to be paid to the legal heirs of the deceased.



### 13.2.3 Anti-Terrorism Court Kohat (May, 2002 to 31st July, 2003)

S.No.	FIR No. & Date	Name of Accused	Offence u/section	No. of Witnesses Examined	Acquitted	Convicted	Remarks
1	214, dated 13.11.1998, Kohat	1. Zar Wali etc	17(2) (4) Haraba	—	—	—	The case was returned to Sessions Court. (June 2002)
2	60, dated 6.4.2002, Kohat	1. Mohd Shafiq 2. Zakir Hussain 3. Iftikhar Hussain	324/34PPC	—	1. Zakir Hussain 2. Iftikhar Hussain	Mohd Shafiq	Accused Mohd Shafiq awarded death sentence and fine of Rs.1,00,000/- to be paid as compensation.
3	192, dated 4.4.2002, Kohat	1. Mirza Gul 2. Islam Gul etc.	302/324/353 PPC	—	—	—	On 5.9.2002 accused Mirza Gul was acquitted while Islam Gul, Nadir and Ijaz were awarded death sentences on two counts in absentia with fine of Rs.1,00,000/- each, in default 4 years SI.
4	361, dated 5.8.2002, Kohat	1. Pir Habib Shah 2. Ismail 3. Irfan	400/401 PPC, 16 MPO	—	—	—	On 7.10.2002 the accused was acquitted from the charge as the prosecution could not prove its case.
5	413, dated 9.8.2002, Kohat	1. Bostan 2. Ifsar Khan 3. Mohd Ullah 4. Shakil Khan	365/324/353 PPC, 7 ATA	—	—	—	On 7.10.2002 the accused was acquitted on the basis of compromise between the parties.
6	544, dated 7.7.2002, Kohat	1. Maulana Abdullah 2. Qari Fateh 3. Muhammad etc.	420, 148, 149, 339 PPC, 16 MPO	—	—	—	The case has been withdrawn under the orders of the Provincial Govt. and accused acquitted.
7	91, dated 27.4.1999, Kohat	1. Rehmat Khan 2. Rehmat Gul 3. Noor Habib etc.	17(3) Haraba	—	—	—	Rehmat Gul declared PO while the other accused acquitted on 3.1.2003.
8	227, dated 2.4.2002, Kohat	1. Khaiyal Badshah & others	365 PPC	—	—	—	All the accused acquitted on 22.4.2002.
9	447, dated 23.10.2000, Kohat	7 accused	324/384/16 MPO	—	—	—	Returned to Sessions for regular trial.
10	516, dated 23.10.2000, Kohat	3 accused	324/384/16 MPO	—	—	—	Returned to Sessions for regular trial.
11	574, dated 4.11.1996, Kohat	1. Wazir Din etc.	17(3) Haraba	—	—	—	Returned to Session for regular trial.
12	648, dated 22.12.1996, Kohat	1. Maviz Khan etc.	17(3) Haraba	—	—	—	Returned to Sessions for regular trial.
13	660, dated 24.12.1997, Kohat	1. Ajmal Khan etc.	302 PPC	—	—	—	Returned to Sessions for regular trial.

### 13.2.4 Anti-Terrorism Court Peshawar (May, 2002 to 31st July, 2003)

S.No.	FIR No. & Date	Name of Accused	Offence u/section	No. of Witnesses Examined	Acquitted	Convicted	Remarks
-------	----------------	-----------------	-------------------	---------------------------	-----------	-----------	---------

1	221, dated 28.10.2001, Peshawar	1. Waqar ul Mulk	17(4) Haraba	—	—	Waqar ul Mulk	On 23.5.2002 the accused was awarded death penalty on two counts.
2	624, dated 21.9.2000, Peshawar	1. Mir Zaman etc.	17(4) Haraba	—	—	1. Mir Zaman 2. Jan Mohd 3. Nadeem 4. Samir	All the accused convicted with death sentence and RI for 7 years on 24.6.2002.
3	306, dated 2.10.1999, Peshawar	1. Ejaz Hussain etc.	302/304/109 PPC	—	1. Ejaz Hussain 2. Mumtaz Ali 3. Saeedullah 4. Hayatullah	—	All the accused have been acquitted as the complainant did not charge them for the offence therefore the Public Prosecutor requested withdrawal of the case and hence they were acquitted.(June 2002)
4	246, dated 26.3.2002, Peshawar	1. Yousaf 2. Mah Gul 3. Mohd Sohail etc	302/353/324/423 7/148/149 PPC	—	—	—	On 31.7.2002 the Court convicted Mah Gul accused and awarded death penalty while the others two were awarded life imprisonment. Rupees 5 lac will also be required and given to the deceased's family.
5	338, dated 16.10.1999, Peshawar	1. Hayat Khan	13 AO	—	—	—	Sent to Sessions Court for regular trial on 29.8.2002.
6	221, dated 28.10.2001, Peshawar	1. Waqar ul Mulk	17 (4) Haraba	—	—	Waqar ul Mulk	Awarded death penalty.
7	434, dated 5.7.2002, Peshawar	1. Hazrat Muhammad	363/365(A) PPC	—	—	—	Acquitted on 5.3.2002.
8	65, dated 6.2.2002, Peshawar	1. Farid etc	324/353/PPC	—	—	—	Accused convicted.
9	22, dated 4.9.2002, Peshawar	1. Javed Khan	13(AO)	—	—	—	Accused convicted.
10	300, dated 28.6.2001, Peshawar	1. Hassan Baz	365/109 PPC 512 CrPC	—	—	—	Case decided accused declared proclaimed offender.
11	89, dated 17.1.2001, Peshawar	1. Abdullah etc	365A/148/149 PPC	—	—	—	Two convicted and four acquitted on 23.4.2003.

### 13.2.5 Anti-Terrorism Court Mardan (May, 2002 to 31st July, 2003)

S.No.	FIR No. & Date	Name of Accused	Offence u/section	No. of Witnesses Examined	Acquitted	Convicted	Remarks
1	127, dated 8.2.2002, Mardan	1. Haran Ali etc	17(2) Haraba, 471 PPC	6	—	All accused	All the accused awarded 7 years RI each under Section 398 PPC and 2 years RI each under Section 471 PPC. (July 2002)
2	109, dated 20.4.2002, Mardan	1. Badrudduja	20 MPO, 427 PPC	—	—	—	Acquitted in the case.
3	319, dated 15.8.2002, Mardan	1. Munazir Shah	302/365 PPC	—	—	—	Accused awarded death sentence.

4	374, dated 30.9.2002, Mardan	1. Muhammad Hayat	13 AO	3	—	—	Accquitted by the Court.
5	375, dated 30.9.2002, Mardan	1. Munazir Shah	13 AO	—	—	—	Accused acquitted.
6	313, dated 12.10.2002, Mardan	1. Jansher	324/353/216 PPC	—	—	—	Accused acquitted by the court.
7	227, dated 12.6.2002, Mardan	1. Wazir Shah	324,353/6 ATA	—	—	—	Accused acquitted by the court.
8	313, dated 20.8.2002, Mardan	1. Sarfaraz	353/324/Exp Act	—	—	—	Accused awarded 7 years RI.
9	127, dated 8.2.2002 Mardan	1. Malyameen	17(2) Haraba, 324 PPC	—	—	—	Accquitted.

### 13.2.6 Anti-Terrorism Court Swat (May, 2002 to 31st July, 2003)

S.No.	FIR No. & Date	Name of Accused	Offence u/section	No. of Witnesses Examined	Acquitted	Convicted	Remarks
1	168/2002, PS Lal Qilla, Swat	1. Saeed Khan etc	385/109 PPC	—	—	—	Accused acquitted on 2.5.2003.
2	28/84, PS Ouch, Swat	1. Abdul Zaman	302/34 PPC	—	—	—	Case decided by the court.
3	501/2002, PS Ouch, Swat	1. Shoukat etc.	324/427/109 PPC	—	—	—	Due to lack of jurisdiction case returned to ASJ for regular trial.
4	502/2002, Ouch, Swat	1. Ali Shah etc.	324/184/149 PPC	—	—	—	Due to lack of jurisdiction case returned to ASJ for regular trial.
5	506/99, Ouch, Swat	1. Zoor Hakim	17(4)Haraba	—	—	—	Two accused convicted, one accused acquitted.
6	466 of 2000, PS Mingora, Swat	1. Hidayat ur Rehman etc.	365-A PPC	—	—	—	The case returned to ASJ for regular trial.
7	48 of 2003 PS Balambat, Swat	1. Yousaf Khan etc.	324/34 PPC	—	—	—	Accused acquitted on basis of compromise.

### 13.2.7 Consolidated Position for NWFP

<b>PENDING CASES</b>	
<b>Court</b>	<b>Cases</b>
Bannu	06
D.I. Khan	47
Kohat	13
Peshawar	11
Mardan	09
Swat	07

**Procedure:** ATCs are functioning under the Criminal Procedure Code, however, summary/speedy trials are conducted having short intervals in hearing dates.

<b>PRESIDING OFFICERS</b>	
<b>Court</b>	<b>Presiding Officer</b>
ATC Mardan	Syed Shabir Hussain Shah
ATC Bannu	Mr. M. Ayub Khan Khattak
ATC D.I. Khan	Mr. M. Ayub Khan
ATC Malakand/Swat	Mr. M. Ayaz Khan
ATC Peshawar	Mr. Akhtar Zarif Khan
ATC Kohat	Vacant

<b>BUDGET</b>		
<b>Year</b>	<b>Sanctioned Budget</b>	<b>Released</b>
2001-2002	Rs. 15,848,000	Rs. 6,559,900
2002-Oct.	Rs. 333,720 <sup>3</sup>	

## 13.3 Anti-Terrorism Courts in Balochistan

### 13.3.1 The ATCs and Their Presiding Officers

<b>Court</b>	<b>Presiding Officer</b>
Anti-Terrorism Court Quetta I	Mr. Shaukat Ali Rukshani
Anti-Terrorism Court Quetta II	Mr. Muhammad Hashim Khan Kakar
Anti-Terrorism Court Sibi	Mr. Muhammad Ismail
Anti-Terrorism Court Khuzdar	Mr. Muhammad Yousaf Khoso
Anti-Terrorism Court Turbat	Post Vacant: District and Sessions Judge Turbat is holding additional charge with effect from 22.10.2003

<sup>3</sup>Demanded for Bannu, but not granted.

### 13.3.2 Consolidated Position for ATCs in Balochistan From 01.04.2002 TO 31.12.2002

Ser. No.	Heads	Cases Reported to the Courts	Convicted	Acquitted	Transferred	Pending Trial
1	Murder	140	61	20	8	51
2	Attempted Murder	23	15	2	6	—
3	Kidnapping/Abduction	12	6	1	2	3
4	Explosive Act	24	10	10	—	4
5	Arms Ord.	48	40	1	4	3
6	Haraabah.	18	4	1	8	5
7	Zina	1	—	1	—	—
8	Misc.	48	2	40	1	3
	<b>Total:</b>	<b>312</b>	<b>138</b>	<b>76</b>	<b>29</b>	<b>69</b>

### 13.3.3 Budget

The Government of Balochistan has allocated a sum of Rs. 1,132,000/- Grant-in-Aid under the head 670000 to the High Court for ATCs in the Province for the financial year 2003-04 out of which a sum of Rs. 5,675,000/- has been released.

Particulars	Allocation	Quetta-1	Quetta-2	Sibi	Khuzdar	Mekran	Reserve	Total
Total Pay of Officers	2,100,000	420,000	420,000	420,000	420,000	420,000	—	2,100,000
Total Pay of Staff	800,000	160,000	160,000	160,000	160,000	160,000	—	800,000
Total Regular Allow.	575,000	115,000	115,000	115,000	115,000	115,000	—	575,000
Total Other Allow.	150,000	30,000	30,000	30,000	30,000	30,000	—	150,000
Medical	100,000	20,000	20,000	20,000	20,000	20,000	—	100,000
Honouraria	50,000	10,000	10,000	10,000	10,000	10,000	—	50,000
Purchase of D-Goods	—	—	—	—	—	—	—	—
Purchase of Cycle	—	—	—	—	—	—	—	—
Purchase of M&E	—	—	—	—	—	—	—	—
Purchase of F&F	—	—	—	—	—	—	—	—
R/M of D/Goods	100,000	10,000	20,000	20,000	30,000	20,000	—	100,000
R/M of Transport	100,000	10,000	20,000	20,000	30,000	20,000	—	100,000
R/M of M& E	—	—	—	—	—	—	—	—
R/M of F& F	—	—	—	—	—	—	—	—
R/M of Building	—	—	—	—	—	—	—	—
Commodities	1,950,000	340,000	340,000	405,000	435,000	430,000	—	1,950,000
Transportation	740,000	125,000	125,000	130,000	170,000	190,000	—	740,000
T.A	140,000	5,000	5,000	10,000	50,000	70,000	—	140,000
P.O.L	600,000	120,000	120,000	120,000	120,000	120,000	—	600,000
Conveyance	—	—	—	—	—	—	—	—
communication	525,000	105,000	105,000	105,000	105,000	105,000	—	525,000
P&T	25,000	5,000	5,000	5,000	5,000	5,000	—	25,000
T&T	500,000	100,000	100,000	100,000	100,000	100,000	—	500,000
Courier Service	—	—	—	—	—	—	—	—
Utilities	160,000	5,000	5,000	65,000	55,000	30,000	—	160,000
Gas	—	—	—	—	—	—	—	—
Water	5,000	—	—	5,000	—	—	—	5,000
Electricity	120,000	—	—	50,000	50,000	20,000	—	120,000
Hot & Cold W/C	35,000	5,000	5,000	10,000	5,000	10,000	—	35,000
Stationary	100,000	20,000	20,000	20,000	20,000	20,000	—	100,000
Printing	100,000	20,000	20,000	20,000	20,000	20,000	—	100,000
Books	150,000	30,000	30,000	30,000	30,000	30,000	—	150,000
Uniform	—	—	—	—	—	—	—	—
Other	150,000	30,000	30,000	30,000	30,000	30,000	—	150,000
Entertainment	25,000	5,000	5,000	5,000	5,000	5,000	—	25,000
<b>Total (Data of Page)</b>	<b>5,675,000</b>	<b>1,075,000</b>	<b>1,085,000</b>	<b>1,150,000</b>	<b>1,190,000</b>	<b>1,175,000</b>	<b>—</b>	<b>5,675,000</b>

THIS PAGE BLANK

# ACCOUNTABILITY COURTS





## 14 ACCOUNTABILITY COURTS

Data/information requested from the Accountability Courts has been received from the Punjab alone. This is recorded below.

### 14.1 Rawalpindi/Islamabad Accountability Court No. I

Name of Presiding Officer	Year		Case Registered	Case Decided	Balance at the end of the Year 2002
	From	To			
Rustum Ali Malik	13-1-2000	31-12-2000	13	1	
Rustum Ali Malik	1-1-2001	31-12-2001	4	5	
Rustum Ali Malik	1-1-2002	04-03-2002	Nil	5	
Syed Muhammad Mumtaz Hussain Shah	2-5-2002	31-12-2002	5	1	
					10

BUDGET		
Year	Sanctioned Budget	Expenditure
2000-2001	Rs.24,91,000/-	Rs.17,98,623/-
2001-2002	Rs.23,15,000/-	Rs.13,30,164/-
07/2000-12/2002	Rs.17,44,000/-	Rs.6,73,042/-

### 14.2 Rawalpindi/Islamabad Accountability Court No. II

Name of Presiding Officer	Year		Case Registered	Case Decided	Balance at the end of the Year 2002
	From	To			
Syed Ali Hassan Rizvi	13-1-2000	31-07-2000	8	Nil	
Muhammad Mansoor Ali Khan	19-09-2000	31-12-2002	15	9	
					14

BUDGET		
Year	Sanctioned Budget	Expenditure
2000-2001	Rs.32,91,000/-	Rs.15,48,033/-
2001-2002	Rs.23,25,000/-	Rs.12,83,551/-
2/07/2000-12/2002	Rs.16,66,000/-	Rs.5,30,526/-

### 14.3 Rawalpindi/Islamabad Accountability Court No. III

Name of Presiding Officer	Year		Case Registered	Case Decided	Balance at the end of the Year 2002
	From	To			
Syed Sakhi Hussain Bukhari	2000	31-12-2000	2	Nil	
Syed Sakhi Hussain Bukhari	1-1-2001	31-12-2001	12	7	
Syed Sakhi Hussain Bukhari	1-1-2002	28-02-2002	Nil	2	
Muhammad Aslam Khan	1-4-2002	31-12-2002	9	4	
					10

BUDGET		
Year	Sanctioned Budget	Expenditure
2000-2001	Rs.27,01,000/-	Rs.15,95,154/-
2001-2002	Rs.22,11,000/-	Rs.10,46,221/-
07/2000-12/2002	Rs.16,91,000/-	Rs.11,48,966/-

### 14.4 Rawalpindi/Islamabad Accountability Court No. IV

Name of Presiding Officer	Year		Case Registered	Case Decided	Balance at the end of the Year 2002
	From	To			
Farrukh Latif	01-5-2000	01-03-2002	11	5	
Ch. Mazhar Hussain	17-04-2002	31-12-2001	Nil	Nil	
					6

BUDGET		
Year	Sanctioned Budget	Expenditure
Information Not Provided		

## 14.5 Lahore Accountability Court No. I

ACCOUNTABILITY COURT NO. I, LAHORE: PERFORMANCE						
Year	Presiding Officer	Previous Balance	Institution	Total	Disposal	Pending Balance
1999	Sh. Muhammad Rafiq Gorea	—	8	8	1	7
2001	Sh. Muhammad Rafiq Gorea	7	6	13	5	8
2002	Sh. Muhammad Rafiq Gorea	8	7	15	3	12
2003	Sh. Muhammad Rafiq Gorea	12	13	25	6	19
30-6-2003	Muhammad Zahoor Abbasi	19		19	1	18

BUDGET		
Year	Sanctioned Budget	Expenditure
1.7.1999 to 30.6.2000	Rs.28,58,500/-	Rs.16,54,018/-
1.7.2000 to 30.6.2001	Rs.22,24,000/-	Rs.16,64,454/-
1.7.2001 to 30.6.2002	Rs.22,90,000/-	Rs.12,60,907/-
1.7.2002 to 30.6.2003	Rs.20,11,000/-	Rs.17,15,392/-

## 14.6 Lahore Accountability Court No. II

ACCOUNTABILITY COURT NO. II, LAHORE: PERFORMANCE						
Year	Presiding Officer	Previous Balance	Institution	Total	Disposal	Pending Balance
2000	Mr. M. A. Shahid Siddiqui	9	11	20	2	18
2001	Mr. M. A. Shahid Siddiqui & Ch. Iftikhar Hussain	18	2	20	13	7
2002	Mr. Abdul Ghaffar Khan	7	9	16	4	12
30-6-2003	Mr. Abdul Ghaffar Khan	12	3	15	3	12

BUDGET		
Year	Sanctioned Budget	Expenditure
1.7.1999 to 30.6.2000	Rs.28,58,500/-	Rs.13,62,364/-
1.7.2000 to 30.6.2001	Rs.22,44,000/-	Rs.12,58,577/-
1.7.2001 to 30.6.2002	Rs.23,08,000/-	Rs.15,13,522/-
1.7.2002 to 30.6.2003	Rs.21,20,000/-	Rs.12,08,300/-

## 14.7 Lahore Accountability Court No. III

ACCOUNTABILITY COURT NO. III, LAHORE: PERFORMANCE						
Year	Presiding Officer	Previous Balance	Institution	Total	Disposal	Pending Balance
2000	Munir Ahmad Sheikh	—	22	22	11	11
2001	Munir Ahmad Sheikh	11	5	16	9	7
2002	Munir Ahmad Sheikh	7	15	22	4	18
2003	Rana Zahid Mahmood	18	13	31	12	19

BUDGET		
Year	Sanctioned Budget	Expenditure
1.7.1999 to 30.6.2000	Rs.28,58,500/-	Rs.14,39,641/-
1.7.2000 to 30.6.2001	Rs.22,44,000/-	Rs.17,92,492/-
1.7.2001 to 30.6.2002	Rs.23,45,000/-	Rs.18,65,960/-
1.7.2002 to 30.6.2003	Rs.20,31,000/-	Rs.13,89,692/-

#### 14.8 Lahore Accountability Court No. IV

ACCOUNTABILITY COURT NO. IV, LAHORE: PERFORMANCE						
Year	Presiding Officer	Previous Balance	Institution	Total	Disposal	Pending Balance
2000	Malik Muhammad Afzal	—	4	4	1	3
2001	Muhammad Saleem Qureshi	3	9	12	3	9
2002	Muhammad Saleem Qureshi	9	9	18	3	15
2003	Muhammad Saleem Qureshi	15	4	19	4	15

BUDGET		
Year	Sanctioned Budget	Expenditure
1.7.2000 to 30.6.2001	Rs.31,95,000/-	Rs.20,83,886/-
1.7.2001 to 30.6.2002	Rs.21,85,000/-	Rs.14,39,473/-
1.7.2002 to 30.6.2003	Rs.19,81,000/-	Rs.14,34,136/-

#### 14.9 Lahore Accountability Court No. V

ACCOUNTABILITY COURT NO. IV, LAHORE: PERFORMANCE						
Year	Presiding Officer	Previous Balance	Institution	Total	Disposal	Pending Balance
2000	NIL	NIL	NIL	NIL	NIL	NIL
2001	Mr. Yar Muhammad Nazami	NIL	10	10	5	5
2002	Mr. Yar Muhammad Nazami & Sardar Ghulam Abbas Khan	5	10	15	1	14
2003	Sardar Ghulam Abbas Khan & Mr. Muhammad Akram Zaki	14	15	29	13	16

BUDGET		
Year	Sanctioned Budget	Expenditure
01-07-2000 TO 30-06-2001	Rs. 32,31,000/-	Rs. 21,40,661/-
01-07-2001 TO 30-06-2002	Rs. 21,72,000/-	Rs. 9,09,937/-
01-07-2002 TO 30-06-2003	Rs. 15,97,000/-	Rs. 11,04,820/-

# LABOUR COURTS



# 15 LABOUR COURTS

The presentation below is based on the information received from some of the Labour Courts.

## 15.1 Labour Courts in Sindh

### 15.1.1 The Constitution of the Labour Courts

In pursuance of the recommendation and conventions of the International Labour Organisation, the first Industrial Court was constituted at Karachi in the year 1960, the first of its kind in the country was constituted as an independent “Non Fee Charging” tripartite adjudicating agency for disposal of industrial disputes and other matters of differences between the employer and the workman.

Due to a heavy increase in the number of disputes and the demand for quick disposal of industrial disputes, the West Pakistan Industrial Dispute Ordinance, 1968 was promulgated. This legislation, besides other matters, enlarged the jurisdiction of Industrial Courts by taking away the jurisdiction of the High Court. In particular, it provided for the constitution of an Industrial Appellate Tribunal to deal with all the appeals against the orders of the Industrial Labour Courts.

The West Pakistan Industrial Dispute Ordinance, 1968 was replaced by the Industrial Relations Ordinance, 1969, which further enlarged the jurisdiction of Industrial Courts as well as that of Industrial Appellate Tribunal. The Industrial Appellate Tribunal was redesignated as Labour Appellate Tribunal and the Industrial Courts were renamed as Labour Courts. The load of case work of the Labour Courts increased further when additional appellate work under the Payment of Wages Act was entrusted to the said Court, and simultaneously, work under the Workmen’s Compensation Act was also entrusted to the Labour Appellate Tribunal.

After the promulgation of the new Industrial Relations Ordinance, 2002, the Labour Appellate Tribunal, which was constituted in September, 1968 was abolished on 30.06.2003 and the appellate work of the Tribunal has now been entrusted to the High Court of Sindh.

### 15.1.2 The Function and Procedure of Labour Courts in the Province of Sindh

There are eight (8) Labour Courts in the Province of Sindh, five (5) at Karachi, one at Hyderabad, one at Sukkur and one at Larkana. These Courts are constituted under section 35 of the Industrial Relations Ordinance, 1969 (now replaced). Each Court is headed by a senior District and Session Judge (BPS-20), for adjudication and determination of Industrial Disputes and individual grievances of the workers. The Labour Courts have also been entrusted: (1) the work of appeals under section 17 of the payment of Wages Act, 1936; (2) appeals under section 59 of the Social Security Orders Ordinance, 1965; (3) violation of Standing Orders Ordinance, 1968, and sub-section 6 of section 7 of West Pakistan Industrial & Commercial Employment (Standing Orders) Ordinance, 1968.

Labour Courts are “Special Courts” constituted under a “Special Legislation,” that is, the Industrial Relations Ordinance, 2002. As such, they can legally adopt such procedure as is laid down in the Industrial Relations Ordinance. Besides being “Special Courts,” Labour Courts are Civil as well as Criminal Courts and they may adopt the procedure prescribed in the Civil Procedure Code and the Criminal Procedure Code, if that is not inconsistent with the procedure provided under section 45 of the Industrial Relations Ordinance, 2002.

Cases coming up before the Labour Courts are of a permanent nature and their trial is to be conducted under the procedure prescribed under section 45 of the Industrial Relations Ordinance, 2002, read with the Civil Procedure Code, 1908 and the Criminal Procedure Code, 1898. For

trying offences, Labour Courts follow summary procedure as prescribed under the Code of Criminal Procedure, 1898.

The list of existing presiding officers of Labour Courts in Sindh is as follows:

1. Mrs. Fahmeeda Qadeer,  
(District & Sessions Judge),  
Presiding Officer,  
First Sindh Labour Court, Karachi
2. Mr. Muhammad Ishaq Memon,  
(District & Sessions Judge),  
Presiding Officer,  
Second Sindh Labour Court, Karachi;
3. Mr. Muhammad Ishaq Memon,  
(District & Sessions Judge),  
Presiding Officer,  
Second Sindh Labour Court, Karachi
4. Mr. Ahmed Nawaz Sheikh,  
(District & Sessions Judge),  
Presiding Officer,  
Third Sindh Labour Court, Karachi
5. Ms. Rubina Khan,  
(District & Sessions Judge),  
Presiding Officer,  
Fourth Sindh Labour Court, Karachi
6. Mr. Ghulam Hussain Mallah,  
(District & Sessions Judge),  
Presiding Officer,  
Fifth Sindh Labour Court, Karachi
7. Ms. Riffat Sheikh,  
(District & Sessions Judge),  
Presiding Officer,  
Sixth Sindh Labour Court, Hyderabad
8. Mr. Rasool Bux I. Siyal,  
(District & Sessions Judge),  
Presiding Officer,  
Seventh Sindh Labour Court, Sukkur
9. Mr. Zamirul Hasnain Larik,  
(District & Sessions Judge),  
Presiding Officer,  
Eight Sindh Labour Court, Larkana



### 15.1.3 Consolidated Statement for Caseloads: 31.12.1997 to 31.8.2003

Labour Court	Opening Balance as on 31.12.1997	Institution 01.01.98 to 31.08.2003 to	Total	Disposal 01.01.98 to 31.08.2003	Pending Balance
Labour Court No.I, Kar.	126	1616	1742	1461	281
Labour Court No.II, Kar.	807	1550	2357	2012	345
Labour Court No.III, Kar.	298	1212	1510	1409	101
Labour Court No.IV, Kar.	325	1046	1371	1072	299
Labour Court No.V, Kar.	678	2322	3000	2442	558
Labour Court No.VI, Hyd.	754	1048	1802	1459	343
Labour Court No.VII, Suk.	24	218	242	237	5
Labour Court No.VIII, Lark.	11	1252	1263	1258	5

### 15.1.4 Budget Grants From the Year 1997-98 to 2002-03

ANNUAL BUDGET GRANTED FOR EIGHT LABOUR COURTS BY THE FINANCE DEPART:	FINANCIAL YEAR	LABOUR COURTS	AMOUNT DISTRIBUTED
Rs. 57,37,300	1997-98	Labour Court No.I,Kyc:	Rs.07,07,857
	do	Labour Court No.II,Kyc:	Rs.08,02,291
	do	Labour Court No.III,Kyc:	Rs.07,19,607
	do	Labour Court No.IV,Kyc:	Rs.06,95,757
	do	Labour Court No.V,Kyc:	Rs.07,07,117
	do	Labour Court No.VI,Hyd:	Rs.08,15,417
	do	Labour Court No.VII,Suk:	Rs.06,77,717
	do	Labour Court No.VIII,Lar:	Rs.06,11,537
		Total:	
Rs.66,23,100	1998-99	Labour Court No.I,Kyc:	Rs.08,22,880
	do	Labour Court No.II,Kyc:	Rs.08,23,660
	do	Labour Court No.III,Kyc:	Rs.08,24,260
	do	Labour Court No.IV,Kyc:	Rs.08,18,260
	do	Labour Court No.V,Kyc:	Rs.08,20,260
	do	Labour Court No.VI,Hyd:	Rs.08,99,560
	do	Labour Court No.VII,Suk:	Rs.08,11,460
	do	Labour Court No.VIII,Lar:	Rs.08,02,760
		Total:	
Rs. 74,22,600	1999-2000	Labour Court No.I,Kyc:	Rs.09,18,701
	do	Labour Court No.II,Kyc:	Rs.08,74,157
	do	Labour Court No.III,Kyc:	Rs.08,78,057
	do	Labour Court No.IV,Kyc:	Rs.09,54,157
	do	Labour Court No.V,Kyc:	Rs.09,00,157
	do	Labour Court No.VI,Hyd:	Rs.09,99,157
	do	Labour Court No.VII,Suk:	Rs.09,26,657
	do	Labour Court No.VIII,Lar:	Rs.09,71,557
		Total:	

Rs. 83,98,480	2000-2001	Labour Court No.I,Kyc:	Rs.10,15,778
	do	Labour Court No.II,Kyc:	Rs.09,65,746
	do	Labour Court No.III,Kyc:	Rs.10,26,746
	do	Labour Court No.IV,Kyc:	Rs.09,76,746
	do	Labour Court No.V,Kyc:	Rs.10,14,746
	do	Labour Court No.VI,Hyd:	Rs.11,16,176
	do	Labour Court No.VII,Suk:	Rs.11,13,296
	do	Labour Court No.VIII,Lar:	Rs.11,69,246
		Total:	Rs.83,98,480
Rs. 102,06,900	2001-2002	Labour Court No.I,Kyc:	Rs.12,80,387
	do	Labour Court No.II,Kyc:	Rs.10,45,109
	do	Labour Court No.III,Kyc:	Rs.12,87,109
	do	Labour Court No.IV,Kyc:	Rs.12,27,359
	do	Labour Court No.V,Kyc:	Rs.14,07,859
	do	Labour Court No.VI,Hyd:	Rs.13,50,109
	do	Labour Court No.VII,Suk:	Rs.12,94,859
	do	Labour Court No.VIII,Lar:	Rs.13,14,109
		Total:	Rs.102,06,900
Rs.129,92,040	2002-2003	Labour Court No.I,Kyc:	Rs.15,59,374
	do	Labour Court No.II,Kyc:	Rs.15,93,566
	do	Labour Court No.III,Kyc:	Rs.17,11,890
	do	Labour Court No.IV,Kyc:	Rs.15,03,740
	do	Labour Court No.V,Kyc:	Rs.15,94,580
	do	Labour Court No.VI,Hyd:	Rs.18,79,330
	do	Labour Court No.VII,Suk:	Rs.15,50,330
	do	Labour Court No.VIII,Lar:	Rs.15,99,230
		Total:	Rs. 129,92,040

## 15.2 Labour Courts in the NWFP

The following full time Labour Courts are functioning in the Province:

1. Labour Court, Peshawar
2. Labour Court, Mardan
3. Labour Court, Haripur
4. Labour Court, Bannu
5. Labour Court, Swat
6. Labour Court, D.I.Khan

### 15.2.1 Peshawar Labour Court

<b>Total Number of cases Instituted During the last 5 Years</b>	
<b>Description</b>	<b>No. of Cases</b>
No. of cases at the beginning of year, 1998.	1224
No. of cases instituted during the previous five years.	17280
Total Number of cases.	18504
No. of cases decided during the previous five years.	10877
No. of cases transferred during the previous five years.	2938
No. of cases pending at the end of month of August 2003.	4689

<b>Total Number of Cases Decided Under Various Labour Laws During the Previous Five Years</b>	
<b>Description</b>	<b>No. of Cases</b>
Under (IRO) Industrial Relation Ord. 1969 (Repealed)/Industrial Relation Ordinance, 2002	282
Under West Pakistan Shops & Estt: Ordinance, 1969.	7790
Under Employment of Children Act, 1991.	716
Cases Under Standard Weights & Measure Enforcement Act, 1976.	688
Cases under Factories Act, 1934.	512
Cases under Payment of Wages Act, 1936.	107
Case under Industrial & Commercial Employment (Standing Order) Ord. 1968.	128
Case under Minimum of Wages Act, for (USW) Ordinance, 1969	54

<b>Names of Presiding Officers, Labour Court, Peshawar</b>	
<b>Name</b>	<b>Period</b>
Mr. Inayatullah Khan	10-3-96 to 9-4-1998
Mr. Abdul Jabbar Khan	26-8-98 to 8-7-1999
Mr. Abdul Mateen Khan	2-8-99 to 30-11-2000
Mr. Wajahat Ali Shah	5-12-00 to 14-1-2003
Mr. Ihsanullah Khan Babar	16-1-03– till date

<b>Budget Allocated During the Previous Five Years</b>	
<b>Period</b>	<b>Allocation</b>
1999-2000	Rs. 13,81,860/-
2000-2001	Rs. 13,29,360/-
2001-2002	Rs. 16,55,550/-
2002-2003	Rs. 18,71,560/-
2003-2004	Rs. 16,37,625/-

Court Procedure and Performance	
Period	Allocation
January to December 1998	Rs. 3,57,850/-
January to December 1999	Rs. 8,36,800/-
January to December 2000	Rs. 5,75,400/-
January to December 2001	Rs. 1,63,500/-
January to December 2002	Rs. 2,23,110/-
January to September 2003	Rs. 6,36,700/-

### 15.2.2 Mardan Labour Court

LABOUR COURT MARDAN: PERFORMANCE 1998					
Nature of Cases	Previous Balance	Institution	Total	Disposal	Pending Balance
Industrial Relations Ordinance 1969	210	146	356	231	125
The West Pakistan Shops & Establishments Ordinance 1969	354	370	724	480	244
The NWFP Standard Weights & Measures Enforcement Act, 1976.	9	5	14	14	Nil
The Employment of Children Act, 1991.	30	8	38	30	8
The Factories Act, 1934	50	2	52	37	15
Industrial & Commerical Standing Orders, Ordinance 1968	14	1	15	15	Nil
The Payment of Wages Act, 1936.	8	4	12	10	2
The Minimum Wages Act, 1961.	2	1	3	3	Nil
The Employment Cost of Living Relief.	Nil	Nil	Nil	Nil	Nil
Total:	677	537	1214	820	394

The total fine recovered during this period was Rs.76,160/-

LABOUR COURT MARDAN: PERFORMANCE 1999					
Nature of Cases	Previous Balance	Institution	Total	Disposal	Pending Balance
Industrial Relations Ordinance 1969	125	82	207	174	33
The West Pakistan Shops & Establishments Ordinance 1969	244	490	734	568	166
The NWFP Standard Weights & Measures Enforcement Act, 1976.	Nil	56	56	39	17
The Employment of Children Act, 1991.	8	14	22	22	Nil
The Factories Act, 1934	15	51	66	56	10
Industrial & Commerical Standing Orders, Ordinance 1968	Nil	4	4	4	Nil
The Payment of Wages Act, 1936.	2	6	8	7	1
The Minimum Wages Act, 1961.	Nil	Nil	Nil	Nil	Nil
The Employment Cost of Living Relief.	Nil	Nil	Nil	Nil	Nil
Total:	394	703	1097	870	227

The total fine recovered during this period was Rs.65,480/-

<b>LABOUR COURT MARDAN: PERFORMANCE 2000</b>					
Nature of Cases	Previous Balance	Institution	Total	Disposal	Pending Balance
Industrial Relations Ordinance 1969	33	82	115	95	20
The West Pakistan Shops & Establishments Ordinance 1969	166	895	1061	868	193
The NWFP Standard Weights & Measures Enforcement Act, 1976.	17	43	60	60	Nil
The Employment of Children Act, 1991.	Nil	29	29	28	1
The Factories Act, 1934	10	325	335	199	136
Industrial & Commerical Standing Orders, Ordinance 1968	Nil	57	32	32	25
The Payment of Wages Act, 1936.	1	12	13	4	9
The Minimum Wages Act, 1961.	Nil	Nil	Nil	Nil	Nil
The Employment Cost of Living Relief.	Nil	26	26	Nil	26
Total:	227	1469	1696	1286	410

The total fine recovered during this period was Rs.1,62,365/-

<b>LABOUR COURT MARDAN: PERFORMANCE 2001</b>					
Nature of Cases	Previous Balance	Institution	Total	Disposal	Pending Balance
Industrial Relations Ordinance 1969	20	197	217	184	33
The West Pakistan Shops & Establishments Ordinance 1969	193	1128	1321	945	376
The NWFP Standard Weights & Measures Enforcement Act, 1976.	Nil	57	57	35	22
The Employment of Children Act, 1991.	1	27	28	28	Nil
The Factories Act, 1934	136	129	265	263	2
Industrial & Commerical Standing Orders, Ordinance 1968	25	59	84	84	Nil
The Payment of Wages Act, 1936.	9	4	13	13	Nil
The Minimum Wages Act, 1961.	Nil	Nil	Nil	Nil	Nil
The Employees Cost of Living Relief.	26	Nil	26	26	Nil
Total:	410	1601	2011	1578	433

The total fine recovered during this period was Rs.1,16,785/-

<b>LABOUR COURT MARDAN: PERFORMANCE 2002</b>					
Nature of Cases	Previous Balance	Institution	Total	Disposal	Pending Balance
Industrial Relations Ordinance 1969	33	85	118	109	9
The West Pakistan Shops & Establishments Ordinance 1969	376	4495	4871	3262	1609
The NWFP Standard Weights & Measures Enforcement Act, 1976.	22	154	176	159	17
The Employment of Children Act, 1991.	Nil	77	77	59	18
The Factories Act, 1934	2	161	163	163	Nil
Industrial & Commerical Standing Orders, Ordinance 1968	Nil	109	109	108	1
The Payment of Wages Act, 1936.	Nil	18	18	18	Nil
The Minimum Wages Act, 1961.	Nil	140	140	132	8
The Employees Cost of Living Relief.	Nil	Nil	Nil	Nil	Nil
Total:	433	5239	5672	4010	1662

The total fine recovered during this period was Rs.4,60,315/-

<b>LABOUR COURT MARDAN: PERFORMANCE 2003</b>					
Nature of Cases	Previous Balance	Institution	Total	Disposal	Pending Balance
Industrial Relations Ordinance 1969	9	60	69	14	55
The West Pakistan Shops & Establishments Ordinance 1969	1609	2505	4114	2881	1233
The NWFP Standard Weights & Measures Enforcement Act, 1976.	17	73	90	89	1
The Employment of Children Act, 1991.	18	29	47	47	Nil
The Factories Act, 1934	Nil	85	85	85	Nil
Industrial & Commerical Standing Orders, Ordinance 1968	1	6	7	7	Nil
The Payment of Wages Act, 1936.	Nil	18	18	18	Nil
The Minimum Wages Act, 1961.	8	103	111	83	28
The Employees Cost of Living Relief.	Nil	Nil	Nil	Nil	Nil
Total:	1662	2879	4541	3224	1317

The total fine recovered during this period was Rs.5,76,200/-

<b>LABOUR COURT MARDAN: BUDGET FOR 5 YRS</b>			
Year	Demand in R.E.	Budget	Expdtr:
1998-1999	963977/-	948050/-	980905/-
1999-2000	2096309/-	1401790/-	1383502/-
2000-2001	1363361/-	894890/-	893280/-
2001-2002	1833194/-	1445700/-	141982/-
2002-2003	1953868/-	1459410/-	1406640/-

### 15.2.3 Bannu Labour Court

<b>BANNU LABOUR COURT: PERFORMANCE</b>					
Year	Previous Balance	Institution	Total	Disposal	Pending Balance
1998	6	8	14	13	1
1999	1	Nil	1	1	Nil
2000	Nil	2	2	1	1
2001	1	1	2	1	1
2002	1	5	6	3	3
2003	3	3	6	4	2

<b>LABOUR COURT BANNU: BUDGET</b>		
Year	Sanctioned Budget	Amount Released
2001-2002	Rs. 1,58,48,000/-	Rs. 65,59,900/-
2002-October	Rs. 3,33,720/- <sup>4</sup>	

### 15.2.4 Haripur Labour Court

Name of Presiding Officer	Period
M. Salim Khan Minakhel	1998-2000
Shahid Naseem Khan Chamkani	2001-2002
Mohammed Ibrahim Khan	2003-

<sup>4</sup>Demanded for Bannu but not provided.

<b>HARIPUR LABOUR COURT: PERFORMANCE</b>						
	<b>Regular Cases</b>			<b>Challan Cases</b>		
<b>Year</b>	<b>Institution</b>	<b>Disposal</b>	<b>Pendency</b>	<b>Institution</b>	<b>Disposal</b>	<b>Pendency</b>
1998	178	83	95	2057	1668	389
1999	58	89	64	1669	1780	278
2000	90	130	24	1792	1984	86
2001	313	244	93	1660	1589	157
2002	92	155	30	2802	2415	544
2003	85	43	72	1440	1579	405

<b>HARIPUR BUDGET</b>		
<b>Year</b>	<b>Fine Collected (Rs.)</b>	<b>Budget (Rs.)</b>
1997-1998	422600	662040
1998-1999	638100	804286
1999-2000	775400	912880
2000-2001	405975	897000
2001-2002	548075	1064400
2002-2003	344305	1154080
2003-2004		920050

#### 15.2.5 D. I. Kahn Labour Court

<b>D. I. KHAN LABOUR COURT: PERFORMANCE</b>					
<b>Year</b>	<b>Previous Balance</b>	<b>Institution</b>	<b>Total</b>	<b>Disposal</b>	<b>Pending Balance</b>
1999	—	08	08	08	—
2000	—	03	03	03	—
2001	—	03	03	03	—
2002	—	12	12	03	09
2003(24/09)	09	03	12	01	11

#### 15.2.6 Swat (Saidu Sharif) Labour Court

<b>SWAT (SAIDU SHARIF) LABOUR COURT: PERFORMANCE</b>				
<b>Year</b>	<b>Institution</b>	<b>Disposal</b>	<b>Transferred</b>	<b>Pending Balance</b>
1999	41	28	13	—
2000	15	10	05	—
2001	16	16	—	—
2002	38	35	—	03
2003	13	07	—	06 <sup>5</sup>

<sup>5</sup>This is the figure provided, but the balance should be 09 if the previous pending balance is taken into account.

Budget data for Saidu Sharif is as follows:

Year	OBJECT HEAD	BUDGET	EXPND.	BALANCE	EXCESS	SURRD.
1999	1. Special Pay of Officer 01103	2400/-	2367/74	32/26		32/26
	2. Special Pay of Estt: 01203	1200/-	1200/-			
	3. Travelling Allowance 51101	3000/-	2871/-	129/-		129/-
	4. Stationary Charges. 54000	1050/-	1050/-			
2000	1. Special Pay of Officer 01103	2400/-	2400/-			
	2. Special Pay of Estt: 01203	1200/-	1200/-			
	3. Travelling Allowance 51101	3000/-	2884/-	116/-		116/-
	4. Stationary Charges. 54000	1050/-	1050/-			
2001	1. Special Pay of Officer 01103	2400/-	2400/-			
	2. Special Pay of Estt: 01203	1200/-	1300/-		100/-	
	3. Travelling Allowance 51101					
	4. Stationary Charges. 54000	1050/-	1050/-			
2002	1. Special Pay of Officer 01103	2400/-	2400/-			
	2. Special Pay of Estt: 01203	1200/-	1100/-	100/-		100/-
	3. Travelling Allowance 51101	3000/-		3000/-		3000/-
	4. Stationary Charges. 54000	1050/-	1050/-			
2003	1. Special Pay of Officer 01103	2400/-	2310/-	90/-		90/-
	2. Special Pay of Estt: 01203	1200/-	1200/-			
	3. Travelling Allowance 51101	3000/-	3000/-			
	4. Stationary Charges. 54000	1050/-	1050/-			