A
BILL
to provide for the remuneration of State Counsels in Islamabad Capital Territory
WHEREAS it is expedient for effective and transparent prosecution in Islamabad Capital Territory that the State Counsels engaged by the Office of the Advocate General under the adopted Punjab Law Manual, 1938, be remunerated for their services towards the State of Pakistan.

It is hereby enacted as follows: -

1. Short title, and commencement: - (1) This Act shall be called the Islamabad Capital Territory State Counsel Remuneration Bill, 2023.
(2) It shall come into force at once.
2. Definitions: - (1) In this Act, unless there is anything repugnant in the subject or context: -
(a) "Advocate General" means the Advocate General Islamabad.
(b) "State Counsel" means a private legal practitioner, who has been engaged by the Advocate General for carrying out prosecutions on behalf of the State.
(c) "High Court" means the Islamabad High Court as defined in the Islamabad High Court Act, 2010.
(d) "Senior Counsel" means a legal practitioner with more than seven years of standing in the High Court.
(e) "Junior Counsel" means a legal practitioner with less than seven years of standing in the High Court.
(f) "Single Bench" means a bench comprising of a Single Judge.
(g) "Division Bench" means a bench comprising of two or more Judges.
(h) "Adjournment" means where the Court suspends indefinitely a matter or until a stated time. Part-heard matters shall not be treated as matters adjourned under this Act.
(i) "Civil Cases" means cases tried under the Code of Civil Procedure, 1908 before the Islamabad High Court.
3. Remuneration for Civil cases. - The Advocate General shall appoint a senior and/or junior counsel to represent the State in the following classes of cases provided that it deemed necessary to appoint so: -
(i) Counsel appointed for Civil cases shall be entitled to the following remuneration: -
a) Senior Counsel Rs. 15,000/-
b) Junior Counsel Rs. 7,500/-
(ii) Civil Miscellaneous
a) Senior Counsel Rs. 5,000/-
b) Junior Counsel Rs. 2,500/-
(iii) For matters affixed before a Division Bench of the High Court; the State Counsel shall be entitled to an additional claim of Rs. 2,500/- as administrative costs.
(iv) No Junior Counsel shall be engaged by the Advocate General for appearance before a Division Bench of the High Court.

## 4. Claim for fees-

(a) Fee shall only be claimable once the case has been disposed of or dismissed and may not be claimed on interim orders.
(b) Fee may be claimed with a certified copy of the order, crossed verified by a certificate issued by the Advocate General, and a copy of the claim; within one month of completion of the case.
(c) Any delay in submission of the requirements mentioned above shall be detrimental to the claim.
5. Repeal: - Chapters 13 to 25 of the Punjab Law Manual, 1938 adopted by the ICT Administration are hereby repealed.

## STATEMENT OF OBJECT AND REASONS

It has been observed that State Counsels in Islamabad Capital Territory have not been paid to date, infringing Article 23 of the Universal Declaration of Human Rights, which states that everyone has the right to just and favorable remuneration. This Bill aims to provide fresh provisions to ensure no such rights are breached.


ASIYA AZEEM
Member National Assembly


$\downarrow$


بذريديفاهب

-
(



-




"


(b) (

تقـتات




$$
\begin{aligned}
& \text { وول تُقرت }
\end{aligned}
$$





$$
\begin{align*}
& \text { في } \tag{iv}
\end{align*}
$$

$$
\begin{aligned}
& \text { 6 }
\end{aligned}
$$


 -

بيان اغزانووجه


,
آسيه بظم
ركن، قوى اسمّى

