

NATIONAL ASSEMBLY SECRETARIAT

REPORT OF THE STANDING COMMITTEE ON LAW AND JUSTICE ON THE HIGH COURTS (ESTABLISHMENT) (AMENDMENT) BILL, 2024

1. The Chairman of Standing Committee on Law and Justice, have the honour to present this report on the Bill further to amend the **High Courts (Establishment) Order, 1970, (P.O. of 1970) [the High Courts (Establishment)(Amendment) Bill, 2024]** (Private Member's Bill) referred to the Committee on 9th July, 2024.

2. The Committee comprises the following: -

1.	Ch. Mahmood Bashir Virk	Chairman
2.	Rana Muhammad Qasim Noon	Member
3.	Mr. Muhammad Mueen Wattoo	Member
4.	Mr. Muhammad Raza Hayat Harraj	Member
5.	Ms. Bilal Azhar Kayani	Member
6.	Ms. Kiran Haider	Member
7.	Ms. Zahra Wadood Fatemi	Member
8.	Syed Ali Qasim Gillani	Member
9.	Syed Naveed Qamar	Member
10.	Dr. Nafisa Shah	Member
11.	Syed Abrar Ali Shah	Member
12.	Syed Hafeezuddin	Member
13.	Mr. Hassaan Sabir	Member
14.	Mr. Gohar Ali Khan	Member
15.	Sardar Muhammad Latif Khan Khosa	Member
16.	Mr. Ali Muhammad Khan	Member
17.	Mr. Umair Khan Niazi	Member
18.	Mr. Changaze Ahmad Khan	Member
19.	Mr. Sohail Sultan	Member
20.	Ms. Aliya Kamran	Member
21.	Minister for Law and Justice	Ex-officio Member

3. The Committee considered the Bill as introduced in the National Assembly placed at Annex-A, in its meetings held on 27th September and 12th November 2024. It was informed by the mover, that needful has been done by the Ministry, hence, the Committee recommended that the Bill may not be passed by the National Assembly.

Sd/-
TAHIR HUSSAIN
Secretary

Islamabad, the 22nd November 2024

Sd/-
(Ch. Mahmood Bashir Virk)
Chairman

AS REPORTED BY THE STANDING COMMITTEE

A

Bill

further to amend the High Courts (Establishment) Order, 1970 (P.O.8 of 1970)

WHEREAS it is expedient further to amend the High Courts (Establishment) Order, 1970 (P.O.8 of 1970) for the purposes hereinafter appearing:-

It is hereby enacted as follows:-

1. **Short title and commencement.**-(1) This Act may be called the High Courts (Establishment) (Amendment) Bill, 2024.

(2) It shall come into force at once.

2. **Amendment of Article 4, of President's Order No.8 of 1970.**- In the High Courts (Establishment) Order, 1970 (P.O.8 of 1970) in Article 4, in clause (1), in the proviso for the full stop occurring at the end, a colon, shall be substituted and thereafter the following new proviso shall be added namely:

“ Provided further that notwithstanding anything contained in any Law, Order, Rules, Judgment of any Court, Peshawar High Court shall consist of a Chief Justice and 29 other Judges to be appointed from the Province, in accordance with the Constitution.

STATEMENT OF OBJECTS AND REASONS

The Khyber Pakhtunkhwa Province is historically very important province and remained in crisis since long, even before the partition, the judiciary was under extreme pressure due to backlog of cases, during 2002/2004 the number of subordinate judges were enhanced due to which the number of cases were disposed and most of them were challenged before the High Court and were pending due to multiple reasons including insufficient number of high court judges. After 25th Constitutional amendment, the High Court of Khyber Pakhtunkhwa further came under pressure due to the transfer of all the administrative and judicial cases to the principal bench of Peshawar High Court. Inexpensive and expeditious justice is the requirement of the day. Further, the registrar Peshawar High Court in a recent press conference has also desired for increasing the number of judges of high court.

2. This Bill therefore, seeks to achieve the aforesaid objectives.

Sd/-
Mr. Sohail Sultan,
Member, National Assembly